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Note: Transmittal Letter to	Be included with	Report
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Indiana Department of Environmental Management

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Evan Bayh Governor Kathy Prosser Commissioner 100 North Senate Avenue P.O. Box 6015 Indianapolis, Indiana 46206-6015 Telephone 317-232-8603 Environmental Helpline 1-800-451-6027

VIA CERTIFIED MAIL P 335 079 352

Ms. Patricia Sorenson, Environmental Engineer Marathon Oil Company 4955 Robinson Road Indianapolis, Indiana 46268 July 22, 1994
RECEIVED
WMD RECORD CENTED

AUG 03 1994

Dear Ms. Sorenson:

Da

Violation Letter (VL-12013)
Hazardous Waste Management
Compliance Evaluation Inspection
Marathon Oil Company
EPA I.D. No. IND 006417430
Indianapolis, Marion County

Representatives of the Department of Environmental Management (Department) are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. Facilities are being inspected to determine compliance with Indiana Code 13-7 (IC 13-7), "Environmental Management Act," and Indiana Administrative Code, 329 IAC 3.1, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements." This article incorporates federal standards for the management of hazardous waste, which have been published in 40 CFR 260 through 40 CFR 270, as of July 1, 1992. These inspections and record reviews are also being conducted pursuant to the requirements of the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended, for the authorized state hazardous waste management programs.

This is to inform you that on June 17, 1994, an inspection of Marathon Oil Company, located at 5000 West 86th Street, Indianapolis, Indiana, was conducted by Mr. Bahman Ossivand of the Office of Solid and Hazardous Waste Management (OSHWM), of the Department. Ms. DeAnne Julian and you represented your firm at this inspection.

The following violations of 329 IAC 3.1 pertaining to the operation of your facility were noted:

1. 329 IAC 3.1-7-6

The generator failed to submit copies of manifests for out-of-state shipments to the Department within five (5) working days of the shipment of hazardous waste.

2. 329 IAC 3.1-7-2

The generator failed to submit a copy of the notification of intent to export hazardous waste to the OSHWM of the Department.

3. 40 CFR 268.7

Land Ban Notifications for manifest Nos. INA0920336 and INA0920337 were not signed

and dated by the generator before shipment of the hazardous waste.

4. 40 CFR 268.7(a)(7)

The generator had not retained Land Ban Notifications for manifest Nos. INA0793801 and INA0833064 on-site for at least five (5) years.

5. 40 CFR 262.34(a)(4) referencing 40 CFR 265.16(e)

The generator had not maintained training records for Messrs. William R. Taylor and Eric G. Hurst, who were identified in the Contingency Plan as the secondary Emergency Coordinators.

Marathon Oil Company, upon receipt of this letter, shall achieve compliance with the following requirements:

- 1. Ensure that, in the future, all manifests are submitted to the Department within five (5) working days of the shipment of hazardous waste.
- 2. Within thirty (30) days, submit a copy of the notification of intent to export hazardous waste to the OSHWM of the Department.
- 3. Ensure that, in the future, all Land Ban Notifications are signed and dated by the generator before the shipment of hazardous waste.
- 4. Ensure that, in the future all Land Ban Notifications are retained at the facility for at least five (5) years.
- 5. Amend personnel training records to include Messrs. William R. Taylor and Eric G. Hurst. Submit a copy of the amended personnel training records to this office.

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. This letter shall state the date compliance was achieved.

Failure to respond adequately to this Violation Letter and verify a return to compliance at this facility will result in escalated enforcement action.

Please direct your response to this letter and any questions to Ms. Brenda J. Lepter of the Office of Enforcement, Hazardous Waste Section, at 317/233-5971.

Sincerely,

Kesemuy

Rosemary W. Cantwell, Chief Hazardous Waste Section

Office of Enforcement

BJL/rmw

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

Mr. Bahman Ossivand



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February 25, 1994

Ms. Patricia Sorensen
Marathon Oil Company
5000 West 86th Street
Indianapolis, Indiana 46268

Dear Ms. Sorensen:

Re: Letter of Compliance, Case No. VL-11761

Hazardous Waste Management

Marathon Oil Company

EPA I.D. No. IND 006417430 Indianapolis, Marion County

Based upon documents available to the Office of Enforcement staff during a record review on February 15, 1994, and the results of a reinspection conducted at your facility on February 7, 1994, it has been determined that Marathon Oil Company has achieved compliance with the terms of the Violation Letter issued to your firm on November 19, 1993.

Thank you for your cooperation. If you have any questions concerning this matter, feel free to contact Ms. Lisa E. Smith of the Hazardous Waste Section, Office of Enforcement, at 317/232-7202.

Very truly yours,

Rosemary W. Cantwell, Chief Hazardous Waste Section

Rosemary Cantivell

Office of Enforcement

LES/sah

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

Mr. Mike Penington





INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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February 25, 1994

Ms. Patricia Sorensen
Marathon Oil Company
5000 West 86th Street
Indianapolis, Indiana 46268

Dear Ms. Sorensen:

Re: Letter of Compliance, Case No. VL-11615
Hazardous Waste Management
Marathon Oil Company

EPA I.D. No. IND 006417430 Indianapolis, Marion County

Based upon documents available to the Office of Enforcement staff during a record review on February 15, 1994, and the results of a reinspection conducted at your facility on February 7, 1994, it has been determined that Marathon Oil Company has achieved compliance with the terms of the Violation Letter issued to your firm on August 19, 1993.

Thank you for your cooperation. If you have any questions concerning this matter, feel free to contact Ms. Lisa E. Smith of the Hazardous Waste Section, Office of Enforcement, at 317/232-7202.

Very truly yours,

Rosemary W. Gantwell, Chief Hazardous Waste Section

Rosemary Cantivell

Office of Enforcement

LES/sah

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

Mr. Mike Penington

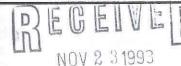
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OFFICE OF RCRA WASTE MANAGEMENT DO EPA. REGION

November 19, 1993

VIA CERTIFIED MAIL

P 215 676 140

Ms. Patricia G. Sorensen Marathon Oil Company 5000 West 86th Street Indianapolis, Indiana 46268

Dear Ms. Sorensen:

NOV 8 0 1993

RECEIVED WAREHURA RECORD CENTER

Re:

Violation Letter (VL-11761)
Hazardous Waste Management
Enforcement Follow-up Inspection
Marathon Oil Company
EPA I.D. No. IND 006417430
Indianapolis, Marion County

Representatives of the Department of Environmental Management (Department) are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. Facilities are being inspected to determine compliance with Indiana Code 13-7 (IC 13-7), "Environmental Management Act," and Indiana Administrative Code, 329 IAC 3.1, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements." This article incorporates federal standards for the management of hazardous waste, which have been published in 40 CFR 260 through 40 CFR 270, as of July 1, 1991. These inspections and record reviews are also being conducted pursuant to the requirements of the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended, for the authorized state hazardous waste management programs.

This is to inform you that on October 7, 1993 an enforcement follow-up inspection of Marathon Oil Company located at 500 West 86th Street, Indianapolis, Indiana was conducted by Mr. Mike Penington of the Office of Solid and Hazardous Waste Management (OSHWM), of the Department, to determine your facility's compliance with Violation Letter VL-11615 issued to your firm on August 19, 1993. You represented your firm at this inspection.

The following violations of 329 IAC 3.1 pertaining to the operation of your facility were noted:

1. 40 CFR 262.34(c)(l)(ii)

Three (3) of the cubic yard containers of bulk sludge were not properly marked with the words "Hazardous Waste" or with other words that identify the contents of the container.

2. 40 CFR 262.34(c)(2)

The three (3) containers mentioned in the above violation were not marked with the date upon which each period of accumulation begins. The generator may accumulate as much as 55 gallons of hazardous waste in containers at or near any point of generation. The generator must mark the containers holding more than 55 gallons of hazardous waste with the date the excess amount began accumulating.

Marathon Oil Company, within thirty (30) calendar days of receipt of this letter, shall achieve compliance with the following requirements:

- 1. Mark the three (3) bulk sludge cubic yard containers with the words "Hazardous Waste" or with other words that identify the contents of the containers. Ensure in the future to mark each container used to accumulate hazardous waste in a satellite accumulation area with the words "Hazardous Waste" or with other words that identify the contents of the containers.
- 2. Mark the start of accumulation date on the three (3) bulk sludge cubic yard containers. Ensure in the future to mark the start of the accumulation date on each container of hazardous waste in any satellite accumulation area as soon as more than 55 gallons of hazardous waste has accumulated.

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. This letter shall state the date compliance was achieved.

Failure to respond adequately to this Violation Letter and verify a return to compliance at this facility will result in escalated enforcement action.

Please direct your response to this letter and any questions to Ms. Lisa E. Smith of the Office of Enforcement, Hazardous Waste Section, at 317/232-7202.

Sincerely,

Rosemary W. Cantwell, Chief Hazardous Waste Section

Tameley O'Rough for

Hazardous Waste Section Office of Enforcement

LES/rmw

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

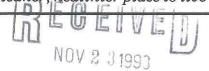
Mr. Mike Penington

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OFFICE OF RCPA WASTE MANAGEMENT DO EPA, RECION

VIA CERTIFIED MAIL P 215 676 131

Ms. Patricia Sorenson Marathon Oil Company 5000 West 86th Street Indianapolis, Indiana 46268

Dear Ms. Sorenson:

RECEIVED
WALL STARA
RECORD CENTER

November 17, 1993

Re: Letter of Inadequacy, Case No. VL-11615

Hazardous Waste Management

Marathon Oil Company EPA I.D. No. 006417430 Indianapolis, Marion County

On October 7, 1993, an Enforcement Follow-up Inspection was conducted by Mr. Mike Penington of the Office of Solid and Hazardous Waste Management to verify your facility's compliance with Violation Letter VL-11615, issued to your firm on August 19, 1993. Based on the findings of this inspection, it has been determined that your facility has failed to comply with one of the orders contained in the violation letter. The following deficiency must be adequately addressed:

1. Order No. 5 states that, pursuant to 40 CFR 265.31, the Marathon Oil Company facility must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous constituents to air, soil or surface water which could threaten human health or the environment. During the October 7, 1993 inspection, Mr. Penington observed an area on the north east corner of the tank that was not cleaned up from the spill of hazardous waste sludge K048 through K051. Mr. Penington discussed this area with you at the time of the inspection.

Containerize all visibly-contaminated soil (plus six (6) inches of soil below this level). Ensure proper disposal of the contaminated soil at a permitted or interim status hazardous waste disposal facility. Provide documentation to this office that describes the steps taken to ensure cleanup and disposal of K048 through K051 hazardous waste sludge from the spill area.

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Ms. Sorenson Page 2

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. This letter shall state the date compliance was achieved.

If you have any questions concerning this matter, feel free to contact Ms. Lisa E. Smith of the Office of Enforcement, Hazardous Waste Section, at 317/232-7202.

Very truly yours,

Rosemary W. Cantwell, Chief

Roximory Contwell

Hazardous Waste Section Office of Enforcement

LES/rmw

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

Mr. Mike Penington

IND 006 417 430 D.1.3



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NOV 2 3 1993

OFFICE OF RCRA

100 North Senate Avenue P.O. Box 6015 Indianapolis, Indiana 46206-6015 Telephone 317-232-8603 Environmental Helpline 1-800-451-6027

VIA CERTIFIED MAIL - P215-675-552

Ms. Patricia B. Sorensen nvironmental Coordinator Marathon Oil Company P.O. Box 68007 Indianapolis, IN 46268-0007

Dear Ms. Sorensen:

November 10, 1993

RECEIVED WAN WHAT RECORD CENTER

Re: Corrective Action Authority
Application and Jurisdiction

In response to your letter of September 22, 1993, the State of Indiana's legal authority to invoke the corrective action process is cited in Indiana Code (IC) 13-7-8.5-5.5, which reads in part,

- "When, on the basis of any information, the Commissioner determines that there is or has been a release of a hazardous waste of a constituent of a hazardous waste into the environment from a facility authorized to operate under interim status under Section 3005(e) of the Solid Waste Disposal Act [42 U.S.C. 6925(e)] or under this chapter, the Commissioner may:
 - 1) issue an order requiring corrective action or another response measure that the Commissioner considers necessary to protect human health or the environment; or
 - 2) Commence a civil action to compel corrective action as described in subdivision (1)...".

For the purpose of this statute, any person, as defined in IC 13-7-1-17, who notified the United States Environmental Protection Agency (U.S. EPA), of hazardous waste treatment, storage or disposal activity, and submitted a Part A application pursuant to the Resource Conservation and Recovery Act (RCRA), is defined as an "interim status facility".

Sorensen Letter page 2

Therefore, closure of the waste pile does not effect the jurisdiction or authority of this statute, since corrective action can be invoked over the entire facility, and/or beyond the boundaries of the facility pursuant to IC 13-7-8.5-5.5-(b).

The State of Indiana has not, however, been authorized to carry out the requirements of the federal Hazardous and Solid Waste Amendments to RCRA, in lieu of the U.S. EPA. Therefore, the U.S. EPA also has the authority to invoke corrective action in the State of Indiana pursuant to Section 3008(h) of RCRA. Currently, Indiana's Corrective Action Program plays a supporting role to the U.S. EPA, and is only taking the lead on sites selected in agreement with the U.S. EPA.

If you have any questions, please feel free to call Mr. Michael E. Sickels of the Corrective Action Section at 317/232-3406.

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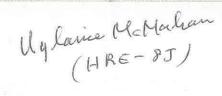
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cc: Ms. Susan Sylvester, U.S. EPA, Region V (with enclosure)
Ms. Fayola Wright, U.S. EPA, Region V

Ronald L. Andes Attorney





539 South Main Street Findlay, OH 45840-3295 Direct No. 419/421-4125 Main No. 419/422-2121 FAX 419/421-3578

August 19, 1993

U.S. EPA, Region 5 Waste Management Division RCRA Enforcement Branch (5HR-12) 230 South Dearborne Street Chicago, IL 60604 REGEIVED
AUG 2 8 1993

OFFICE OF RCRA Waste Management Division U.S. EPA, REGION V

Re: Consent Agreement and Final Order Docket No. V-W-88-R-038

Dear Sir:

This letter is provided pursuant to provision F of the referenced agreement.

Please be advised that Marathon Oil Company, which acquired Rock Island Refining Corporation, has achieved compliance with paragraph C "Goat Hill closure". Proof of the compliance is provided in the attached IDEM letter.

Sincerely,

Ronald L. Andes

RLA/dkh 24081

Attachment

cc: Thomas Linson

IDEM

105 South Meridian St.

Indianapolis, IN 46240-6015

Phil Perry IDEM

105 South Meridian St.

Indianapolis, IN 46240-6015

Mr. Hak Cho
U.S. EPA, Region V
5 HR
RCRA Enforcement Brand
77 West Jackson Blvd.
Chicago, IL 60604-3590

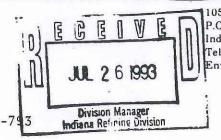
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VIA CERTIFIED MAIL - P125-270-793

July 23, 1993

Ms. Patricia Sorensen Environmental Coordinator Marathon Oil Company P.O. Box 68007 Indianapolis, Indiana 46268-0007

Dear Ms. Sorensen:

Re: Closure of Waste Pile
Marathon Oil Company
Indiana Refining Division
Indianapolis, Indiana
IND 006417430

The Indiana Department of Environmental Management (IDEM) has reviewed your certification dated December 31, 1991, indicating that total closure was completed as outlined in the closure plan submitted by Marathon Oil Company. The certification of closure was submitted prior to the IDEM approval of the closure plan because closure activities had been completed by Marathon. The closure plan dated June 4, 1990, and revised on December 31, 1991, was approved by the IDEM on May 5, 1993. In order to approve the closure plan, a Hydrogeological Study dated October 31, 1990, and revised on April 3, 1991, December 31, 1991 and January 29, 1993 was conducted to demonstrate that the groundwater was not affected by the waste pile. With the receipt of this information, the IDEM has determined that total closure has been completed as required by 40 CFR 265 Subpart G and Consent Agreement and Final Order, Docket No. V-W-88-R-038.

Marathon Oil Company originally notified the U.S. EPA, Region V, as a hazardous waste treatment, storage, and disposal facility with the following hazardous waste activities: land application disposal, other treatment identified as a vacuum filter process, incinerator treatment and tank storage and treatment. These activities were withdrawn by the U.S. EPA Region V under Consent Agreement and Final Order, Docket No. V-W-88-R-038 ordered on May 14, 1990. The closure certification indicated that a hazardous waste pile has been eliminated in accordance with an enforcement action/Consent Agreement and Final Order. With the completion of closure, the facility status is now classified as generator.

JUL 2 7 1993

R. L. ANDES

Ms. Patricia Sorensen Page 2

This is also to notify you that your facility is no longer required by 329 IAC 3.1-14-4 and 329 IAC 3.1-14-24(e) to maintain financial assurance and liability coverage for the closure of the hazardous waste management unit(s).

If you have any questions about this letter, please contact Mr. Phil Perry at 317/232-3397.

Sincerely,

David Werson

David Wersan Assistant Commissioner Solid and Hazardous Waste Management

PRP/go

cc: Marion County Health Department

Mr. Hak Cho, U.S. EPA, Region V

Ms. Fayola Wright, U.S. EPA, Region V

Mr. Jeff Stevens

Ms. Jenny Dooley

Mr. Jim Hunt

Mr. Bob Hacker

Mr. Steve Buckel

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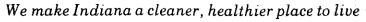
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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT







105 South Meridian Street PO. Box 6015 Irdianapolis, Indiana 46206-6015

Telephone 317-232-8603 Environmental Helpline 1-800-451-6027

VIA CERTIFIED MAIL - P125-270-793 WASTE MANAGEMENT DIV

July 23, 1993

Ms. Patricia Sorensen
Environmental Coordinator
Marathon Oil Company
P.O. Box 68007
Indianapolis, Indiana 46268-0007

Dear Ms. Sorensen:

Re: Closure of Waste Pile

Marathon Oil Company
Indiana Refining Division
Indianapolis, Indiana
IND 006417430

The Indiana Department of Environmental Management (IDEM) has reviewed your certification dated December 31, 1991, indicating that total closure was completed as outlined in the closure plan submitted by Marathon Oil Company. The certification of closure was submitted prior to the IDEM approval of the closure plan because closure activities had been completed by Marathon. The closure plan dated June 4, 1990, and revised on December 31, 1991, was approved by the IDEM on May 5, 1993. In order to approve the closure plan, a Hydrogeological Study dated October 31, 1990, and revised on April 3, 1991, December 31, 1991 and January 29, 1993 was conducted to demonstrate that the groundwater was not affected by the waste pile. With the receipt of this information, the IDEM has determined that total closure has been completed as required by 40 CFR 265 Subpart G and Consent Agreement and Final Order, Docket No. V-W-88-R-038.

Marathon Oil Company originally notified the U.S. EPA, Region V, as a hazardous waste treatment, storage, and disposal facility with the following hazardous waste activities: land application disposal, other treatment identified as a vacuum filter process, incinerator treatment and tank storage and treatment. These activities were withdrawn by the U.S. EPA Region V under Consent Agreement and Final Order, Docket No. V-W-88-R-038 ordered on May 14, 1990. The closure certification indicated that a hazardous waste pile has been eliminated in accordance with an enforcement action/Consent Agreement and Final Order. With the completion of closure, the facility status is now classified as generator.

Ms. Patricia Sorensen, washing as physical process as a factor of the P Page 2

This is also to notify you that your facility is no longer required by 329 IAC 3.1-14-4 and 329 IAC 3.1-14-24(e) to maintain financial assurance and liability coverage for the closure of the hazardous waste management unit(s).

If you have any questions about this letter, please contact Mr. Phil Perry at 317/232-3397.

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Sincerely, Landau and Alexander

David Werson David Wersan

Assistant Commissioner

Solid and Hazardous Waste Management

PRP/qo

Marion County Health Department

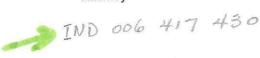
Mr. Hak Cho, U.S. EPA, Region V

Ms. Fayola Wright, U.S. EPA, Region V

Mr. Jeff Stevens

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539 South Main Street Findlay, OH 45840-3295 Direct No. 419/421-4125 Main No. 419/422-2121 FAX 419/421-3578

August 19, 1993

RECEIVED SEP 2 9 1993
WMD RCRA
RECORD CENTER Comp.

U.S. EPA, Region 5 Waste Management Division RCRA Enforcement Branch (5HR-12) 230 South Dearborne Street Chicago, IL 60604

Re: Consent Agreement and Final Order

Docket No. V-W-88-R-038

Dear Sir:

This letter is provided pursuant to provision F of the referenced agreement.

Please be advised that Marathon Oil Company, which acquired Rock Island Refining Corporation, has achieved compliance with paragraph C "Goat Hill closure". Proof of the compliance is provided in the attached IDEM letter.

Sincerely,

Ronald L. Andes

RLA/dkh 24081

Attachment

cc: Thomas Linson
IDEM
105 South Meridian St.
Indianapolis, IN 46240-6015

Mr. Hak Cho U.S. EPA, Region V 5 HR RCRA Enforcement Brand 77 West Jackson Blvd. Chicago, IL 60604-3590 Phil Perry IDEM 105 South Meridian St. Indianapolis, IN 46240-6015 \$1497.75 \$1 0 0 0 \$340,000,03

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Evan Bayh Governor Kathy Prosser Commissioner 105 South Meridian Street
P.O. Box 6015
Indianapolis, Indiana 46206-6015
Telephone 317-232-8603
Environmental Helpline 1-800-451-6027

RECEIVEDSEP 2 7 1995 WMD RCRA Crip. RECORD CENTER

August 19, 1993

VIA CERTIFIED MAIL P 352 041 493

Ms. Patricia G. Sorenson Marathon Oil Company 5000 West 86th Street Indianapolis, Indiana 46268

Dear Ms. Sorenson:

REGEIVED

OFFICE OF RCRA Waste Management Division U.S. EPA, REGION V

Re:

Violation Letter (VL-11470)
Hazardous Waste Management
Compliance Evaluation Inspection
Marathon Oil Company
EPA I.D. No. IND 006417430
Indianapolis, Marion County

Representatives of the Department of Environmental Management (Department) are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. Facilities are being inspected to determine compliance with Indiana Code 13-7 (IC 13-7), "Environmental Management Act," and Indiana Administrative Code, 329 IAC 3.1, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements." This article incorporates federal standards for the management of hazardous waste, which have been published in 40 CFR 260 through 40 CFR 270, as of July 1, 1991. These inspections and record reviews are also being conducted pursuant to the requirements of the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended, for the authorized state hazardous waste management programs.

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This is to inform you that on May 21, 1993, an inspection of Marathon Oil Company, located at 5000 West 86th Street, Indianapolis, was conducted by Mr. Mike Penington of the Office of Solid and Hazardous Waste Management (OSHWM), of the Department. Ms. Lynda Rios, Mr. Dan Housenga, and you represented your firm at this inspection.

The following violations of 329 IAC 3.1 pertaining to the operation of your facility were noted:

1. 329 IAC 3.1-7-6(a)(4)

Generator has not submitted hazardous waste manifests numbered INA0707910, INA0707301, INA0707321, and INA0707315 to the Department within five (5) working days after the transportation of any hazardous waste to a treatment, storage, disposal, or recovery facility.

- 2. 40 CFR 262.34(c)(l)(ii)
- Four (4) cubic yard containers located in the wastewater treatment plant sludge dewatering unit were not properly marked with the words "Hazardous Waste" or with other words that identify the contents of the containers.
- 3. 40 CFR 262.34(a)(2)
- Three (3) 20,000-gallon containers located in the facility's north accumulation area were not properly marked with the start of accumulation date.
- 4. 40 CFR 262.34(a)(3)
- Two (2) 20,000-gallon container located in the facility's north accumulation area were not properly marked with the words "Hazardous Waste."
- 5. 40 CFR 262.34(a)(4) referencing 40 CFR 265.31

Generator did not maintain and operate the facility to minimize the possibility of any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. A spill of K048 through K051 hazardous waste sludge was observed in the east API separator.

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Marathon Oil Company, within thirty (30) days calendar days of receipt of this letter, shall achieve compliance with the following requirements:

- 1. Submit a copy of hazardous waste manifests numbered INA0707910, INA0707301, INA0707321, and INA0707315 to the Department as required. Henceforth, ensure that hazardous waste manifests are submitted to the Department within five (5) working days after transportation of any hazardous waste to a treatment, storage, disposal, or recovery facility.
- 2. Mark the four (4) cubic yard containers located in the wastewater treatment plant sludge dewatering unit with the words "Hazardous Waste" or other words that identify the contents of the containers. Ensure in the future to mark each container used to accumulate hazardous waste in a satellite accumulation area with the words "Hazardous Waste" or with other words that identify the contents of the containers.
- 3. Mark the start of accumulation date on the three (3) 20,000-gallon containers located in the facility's north accumulation area, and ensure in the future to mark the start of the accumulation date on each container of hazardous waste.
- 4. Mark the two (2) 20,000-gallon containers located in the facility's north accumulation area with the words "Hazardous Waste," and ensure in the future to mark each container used to accumulate hazardous waste with the words "Hazardous Waste."
 - 5. Facilities must be maintained and operated to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil or surface water which could threaten human health or the environment. Containerize all visibly-contaminated soil (plus six (6) additional inches of soil below this level). Provide documentation to this office that describes the steps taken to ensure cleanup and disposal of K048 through K051 hazardous waste sludge in the spill area.

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. This letter shall state the date compliance was achieved.

Failure to respond adequately to this Violation Letter and verify a return to compliance at this facility will result in escalated enforcement action.

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Ms. Sorenson Page 4

Please direct your response to this letter and any questions to Ms. Lisa E. Smith of the Office of Enforcement, Hazardous Waste Section, at 317/232-7202.

Sincerely,

Rosemary Cantwell
Rosemary W. Cantwell, Chief
Hazardous Waste Section
Office of Enforcement

LES/rmw

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

Mr. Mike Penington

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner.

Evan Bayh Governor Kathy Prosser Commissioner

JUN 28 1993

OFFICE OF RCR EPA, REGION V

105 South Meridian Street P.O. Box 6015 Indianapolis, Indiana 46206-6015 Telephone 317-232-8603 Environmental Helpline 1-800-451-6027

June 22, 1993

Ms. Patricia G. Sorenson Marathon Oil Company 5000 West 86th Street Indianapolis, Indiana 46268

Dear Ms. Sorenson:

Re:

Letter of Compliance, Case No. VL-11470 Hazardous Waste Management Marathon Oil Company EPA I.D. No. IND 006417430 Indianapolis, Marion County

Based upon documents available to the Office of Enforcement staff during a record review on June 7, 1993, and the results of a reinspection conducted at your facility on May 21, 1993, it has been determined that Marathon Oil Company has achieved compliance with the terms of the Violation Letter issued to your firm on April 30, 1993.

Thank you for your cooperation. If you have any questions concerning this matter, feel free to contact Ms. Lisa E. Smith of the Office of Enforcement, Hazardous Waste Section, at 317/232-7202.

Very truly yours,

Rosemary W. Cantwell, Chief Hazardous Waste Section Office of Enforcement

LES/rmw

cc:

Marion County Health Department Ms. Uylaine McMahan, U.S. EPA, Region V Mr. Mike Penington

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Evan Bayh Governor Kathy Prosser Commissioner 105 South Meridian Street P.O. Box 6015 Indianapolis, Indiana 46206-6015 Telephone 317-232-8603 Environmental Helpline 1-800-451-6027

Ms. Patricia G. Sorenson Marathon Oil Company 5000 West 86th Street Indianapolis, Indiana 46268

Dear Ms. Sorenson:

June 17, 1993

WMD RCRA Compliance

Re: Letter of Compliance, Case No. VL-10651

Hazardous Waste Management

Marathon Oil Company

EPA I.D. No. IND 006417430 Indianapolis, Marion County

Based upon documents available to the Office of Enforcement staff during a record review on June 1, 1993, and the results of a reinspection conducted at your facility on May 21, 1993, it has been determined that Marathon Oil Company has achieved compliance with the terms of the Violation Letter issued to your firm on April 5, 1991.

Thank you for your cooperation. If you have any questions concerning this matter, feel free to contact Ms. Lisa E. Smith of the Office of Enforcement, Hazardous Waste Section at 317/232-7202.

Very truly yours,

Rosemary W. Cantwell, Chief Hazardous Waste Section Office of Enforcement

LES/rmw

cc: Marion County Health Department

Ms. Uylaine McMahan, U.S. EPA, Region V

Mr. Mike Penington

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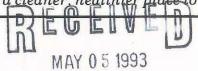
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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live

Evan Bayh Governor Kathy Prosser Commissioner



OFFICE OF RCRA WASTE MANAGEMENT D EPA. REGION V 105 South Meridian Street P.O. Box 6015 Indianapolis, Indiana 46206-6015 Telephone 317-232-8603 Environmental Helpline 1-800-451-6027

VIA CERTIFIED MAIL P 846 729 966

Ms. Patricia G. Sorenson Marathon Oil Company 5000 West 86th Street Indianapolis, Indiana 46268

Dear Ms. Sorenson:

April 30, 1993

RECEIVED JUN 1 893
WMD RCRA
RECORD CENTER

Re: Violation Letter (VL-11470)

Hazardous Waste Management Compliance Evaluation Inspection

Marathon Oil Company

EPA I.D. No. IND 006417430 Indianapolis, Marion County

Representatives of the Department of Environmental Management (Department) are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. Facilities are being inspected to determine compliance with Indiana Code 13-7 (IC 13-7), "Environmental Management Act," and Indiana Administrative Code, 329 IAC 3.1, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements." This article incorporates federal standards for the management of hazardous waste, which have been published in 40 CFR 260 through 40 CFR 270, as of July 1, 1991. These inspections and record reviews are also being conducted pursuant to the requirements of the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended, for authorized state hazardous waste management programs.

This is to inform you that on April 28, 1992, an inspection of Marathon Oil Company, located at 5000 West 86th Street, Indianapolis, Indiana, was conducted by Mr. Robert Malone, Ontario Environmental, Inc., contractor for the Office of Solid and Hazardous Waste Management (OSHWM), of the Department. You represented your firm at this inspection.

The following violations of 329 IAC 3.1 pertaining to the operation of your facility were noted:

1. 40 CFR 265.173

Two (2) 55-gallon drums containing waste and clean up debris from the API separator were not stored closed.

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2. 40 CFR 262.34(a)(3)

Two (2) 55-gallon drums containing waste and clean up debris from the API separator were not properly marked with the words "Hazardous Waste."

3. 40 CFR 262.34(a)(2)

Two (2) 55-gallon drums containing waste and clean up debris from the API separator were not properly marked with the start of accumulation period.

4. 40 CFR 266.34(e)(l)(ii)

Before a marketer initiates the first shipment of hazardous waste fuel to a hazardous waste fuel burner, he must obtain a one-time written and signed notice from the burner certifying that the recipient is a burner and that the burner will burn the hazardous waste fuel only in an industrial furnace or boiler identified in 40 CFR 266.31(b). The facility did not have a one-time written and signed notice from Patchem.

5. 40 CFR 262.11

The generator has not determined if one (1) black and red container in the API waste accumulation area is hazardous.

Marathon Oil Company, within thirty (30) calendar days of receipt of this letter, shall achieve compliance with the following requirements:

- 1. Close the two (2) 55-gallon drums containing waste and clean-up debris from the API separator and in the future, accumulate all hazardous waste in containers that are properly closed.
- 2. Mark the two (2) 55-gallon drums containing waste and clean-up debris from the API separator with the words "Hazardous Waste" and ensure in the future to mark each container used to accumulate hazardous waste with the words "Hazardous Waste."
- 3. Mark the start of accumulation period on the two (2) 55-gallon drums containing waste and clean-up debris from the API separator and ensure in the future to mark the start of the accumulation period on each container of hazardous waste.
- 4. Obtain a one-time written and signed notice from the burner certifying that the burner has notified EPA and identified his waste activities and will burn the hazardous waste fuel only in an industrial furnace or boiler identified in 40 CFR 266.31(b). Pursuant to 40 CFR 266.34(f) Marathon Oil must keep a copy of each certification notice he receives or sends for three (3) years from the date he last engages in a hazardous waste fuel marketing transaction with the person who sends or receives the certification notice.

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5. Determine if the waste in the black and red container in the API waste accumulation area is hazardous as defined by 40 CFR 261.20 and 40 CFR 261.30. (If you believe the waste is not hazardous, submit analyses to support your decision.) Submit to this office written documentation of your determination.

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. The letter shall state the date compliance was achieved.

Failure to respond adequately to this Violation Letter and verify a return to compliance at this facility will result in escalated enforcement action.

Please direct your response to this letter and any questions to Ms. Lisa E. Smith of the Office of Enforcement, Hazardous Waste Section, of the Department at 317/232-7202.

Very truly yours,

Bamelay, O'Rough for

Rosemary W. Cantwell, Chief Hazardous Waste Section Office of Enforcement

LES/rmw

cc: Marion County Health Department
Ms. Uylaine McMahan, U.S. EPA, Region V

Sur Designance if the waste in the black and concatnum to the LET waste waste acceptualities ered in heracone an Orginal by 40 (EN 261.30 and to CFR 261.30. (If you believe the waste is not harachous, schult stailyase to support your Sociation.) Saintit to this office written documentation of your Sociation.

Tour company shall ambuin to this office, which ministy-five (13) calendar days of receipt of this latter, a written detailed explanation of the single taken to accide we consider with mach requirement. The letter shall near the fact calendary shall near the

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BAKER & DANIELS

BIO FLETCHER TRUST BUILDING
INDIANAPOLIS, INDIANA 46204-2454
317-636-4535

WASHINGTON OFFICE SUITE 600 1920 N STREET N. W. WASHINGTON, D. C. 20036 202-785-1865

September 27, 1982

ALBERT BAKER

EARL J. STIPHER
JOHN B. COCHRAN
BYRON P. BOLLETT
DAN R. WINCHELL
EARL CLAY ULEN. JR.
RICHARD B. ALEMAN
J. B. ELING
STEPHEN W. TERRY. JR.
THOMAS N. LOFTON
JOSEPH B. CARNEY
DANIEL B. JOHNSON
ROBERT L. JESSUP
VIRGIL L. BERLER
WILLIAM F. LANDERS, JR
ROBERT N. DAVIES
BICHARD W. LEAGRE
TEBODORE R. BOREM
MICHAEL R. MAINE
FETER C. WARD
NORMAN P. ROWE
TEREILL D. ALEMIONT
VILSON B. STOBER
FFEED E. SCHLEGGIL
JAMES A. ASCHLENAN
JERRY R. JENEINS

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BTEIMEN A. CLAPPEY
NORMAN G. TABLER. JR.
DAVID B. FRICE
RORY O'BRYAN
STEPHEN H. PAUL
CHARLES T. RICHARDSON
MICHAEL J. HUSTON
JAMES B. HEFFERNAN
LEWIS D. BECKWITH
DONALD P. BENNETT
THOMAS G. STATTON
JOB C. REMERSON
JAMES M. CARR
JAMES M. CARR
JAMES H. HAN III
MARY E. LISHER
DAVID N. SHANE
ROBERT D. BWHIER. JR.
GEORGE W. PENDYGRAFT
THEODORE J. ESPING
BRIAN E. BURKE
FOBBRIW. ELIZER
JOHN W. PURCELL
THOMAS A. VOGTNER
DAVID C. WORRELL
MARK B. BARNES

JOSEPH DANIELS

PRANCINA A. DLOUHY
JOHN E. POLLEY
ROBERT P. CHAMNESS
STEVEN L. HOUSEHOLDER
J. DANIEL OGREN
TIBOR D. KLOPPER
BARRY F. MCNAUGHT. JR.
GEORGE M. PLEWS
GEORGE W. SOMERS
KRIC T. PERFYOGLE
DAVID E. HERZING
RANDY D. LOSER
CHMISTOPHER G. NCANLON
MARC W. SCISCOE
JOHN B. SWARBRICK. JR.
HOBERTA SABIN RECKER
MICHAEL A. NARDOLILLI S.
JEFFERY B. RISINORR
ROBERT E. BISINORR
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. ADMITTED IN D. C. ONLY

PAUL N. BOWE OF COUNSEL

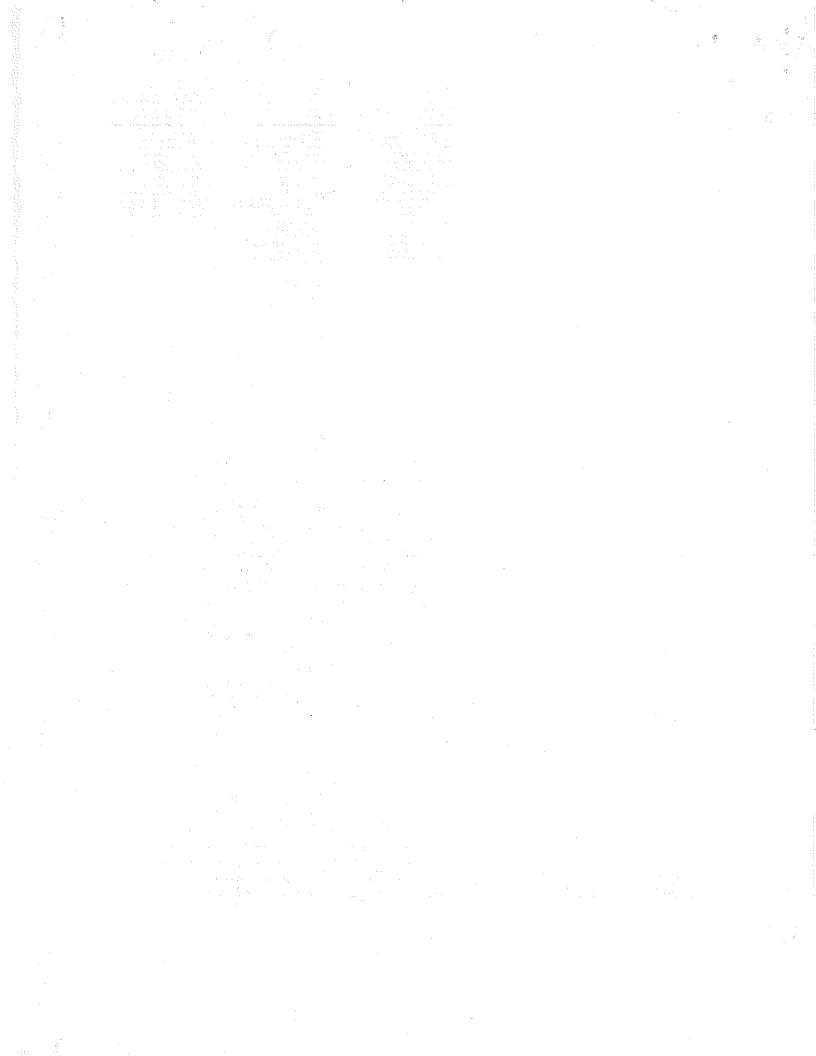
Mr. Dan Strahl
Land Application Group
Division of Water Pollution Control
Room 336
Indiana State Board of Health
1330 West Mighigan Street
Indianapolis, Indiana 46202

Re: Rock Island Land Application Facility

Dear Mr. Strahl:

On September 10, 1982, representatives of Rock Island Refining Corporation (Rock Island) met with you and Mr. Bruce Palin, Land Pollution Control Division, Indiana State Board of Health, to discuss the land application facility owned and operated by Rock Island at 5000 West 86th Street, Indianapolis, Indiana. During that meeting, Rock Island reported its intent to seek a permit from the Stream Pollution Control Board for its land application facility. Rock Island also sought guidance from the staff as to whether Rock Island could operate its land application facility pending consideration of that application by Water Pollution Control Division.

As we related at the meeting, Rock Island made application on September 9, 1980, with the Indiana Environmental Management Board for a provisional permit to land apply some of the wastes from its refining operation in Marion County, Indiana. The Technical Secretary to the Environmental Management Board issued to Rock Island a construction permit for its land application facility on November 18, 1980. Rock Island also sought interim status for this facility under regulations issued pursuant to the Resource Conservation and Recovery Act (RCRA), 42 U.S.C.



§§ 6901 et seq. (hereafter the RCRA regulations) because Rock Island originally intended to apply to this facility certain wastes, generated at its refinery, which were characterized as hazardous by the RCRA regulations.
40 C.F.R., Part 261. Rock Island filed the Part A application for interim status on November 18, 1980. 40 C.F.R. § 123.23.

Subsequently, Rock Island elected to proceed with the land application facility in two phases. In the first phase, Rock Island intended to apply to thirty acres of the facility materials taken from BS&W ponds located at the Refinery. These BS&W materials were not hazardous wastes for purposes of the federal RCRA regulations. See 40 C.F.R., Part 261, Subpart C. On January 20, 1981, the Technical Secretary modified Rock Island's construction permit for its land application facility, allowing application of the BS&W materials. The Technical Secretary issued an operating permit (No. 49-5) for that phase of the facility's operation on June 24, 1981.

In the second phase, Rock Island had intended to apply hazardous wastes on the remaining ten acres of the 40-acre land application facility. Rock Island later decided, based on a number of considerations, that it would not apply any RCRA designated hazardous wastes to any part of the land application facility. First, Rock Island was able to put into operation an existing vacuum filtration unit that achieved a significant reduction in the volume of hazardous waste, thereby making offsite disposal of such wastes economically reasonable. Second, Rock Island successfully petitioned EPA for a "delisting" of its wastes from the EPA hazardous waste list. (EPA notified Rock Island in March, 1982, that it had determined preliminarily to delist the Rock Island wastes. A copy of that notice is enclosed.) As a result, Rock Island has never applied to any part of its land application facility wastes characterized as hazardous by the RCRA regulations. 40 C.F.R., Part 261.

Because Rock Island has not and does not intend to apply hazardous wastes to its land application facility, this facility falls within the purview of the Stream Pollution Control Board regulations dealing with the application upon or incorporation into the soil of industrial wastewater, waste products and sludge. 330 IAC 3.3. In addition, it would seem unnecessarily burdensome on the State Board of Health staff for Rock Island to seek both a renewal of the operating permit (No. 49-5) and a permit pursuant to 330 IAC 3.3. For those reasons, Rock Island sought a clarification as to whether it could operate the land application facility if it only applied for a permit from the Stream

Pollution Control Board pursuant to 330 IAC 3.3. Based on discussions during the meeting of September 10, 1982, it is our understanding that both the Water Pollution Control Division and Land Pollution Control Division agree that Rock Island may proceed with its land application facility by complying with the Stream Pollution Control Board requirements for land application projects. 330 IAC 3.3.

We further understand Water Pollution Control Division's position to be that Rock Island's land application facility is an on-going land application operation, and, as such, may continue to operate if the application for the facility is filed on or before October 1, 1982. Rock Island will file timely such an application.

We appreciate your assistance in resolving these areas of concern to us. Please feel free to contact Mr. William E. Laque or the undersigned (317/636-4535) should you have questions or comments with respect to this matter.

Very truly yours,

BAKER & DANIELS

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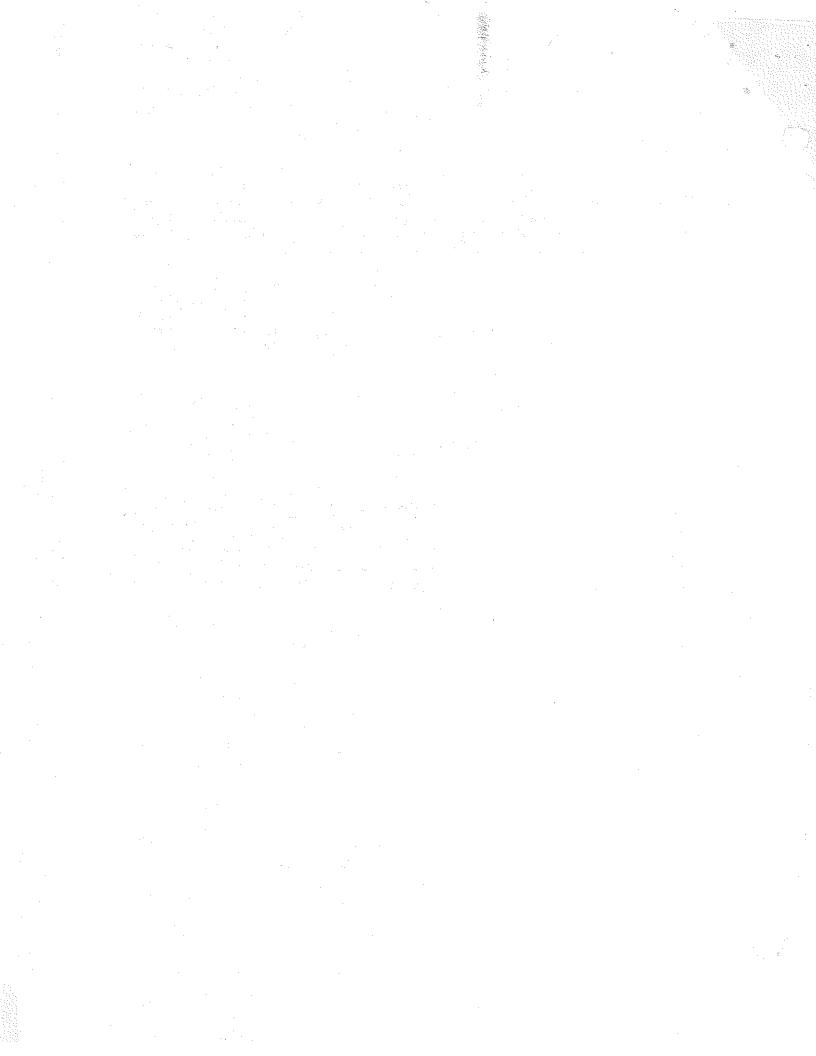
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GWP/js

Enclosure

cc: Mr. Bruce Palin

Mr. William E. Laque 🗸



Ms. Patricia Sorenson Environmental Coordinator Marathon Oil Company P.O. Box 68007 Indianapolis, Indiana 46268-0007

> Re: Return to Compliance Marathon Oil Company IND 006 417 430

Dear Ms. Sorenson:

We have received and reviewed your letter of March 25, 1992, regarding our Notice of Violation (NOV) dated February 19, 1992.

The information submitted with your letter appears to meet the requirements of the land disposal restriction regulation found at 40 CFR Part 268. We have, therefore, returned this facility to compliance for those violations cited in our NOV.

If you should have any further questions, please contact Rebecca Groulx of my staff at (312) 886-4437.

Sincerely yours,

Uylaine E. McMahan, Chief IN/MN/OH Enforcement Program Section

cc: Dennis Zawodni, IDEM

bcc: Uylaine McMahan, REB

Compliance File

sorenson.rtc

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March 25, 1992

P.O. Box 68007
Indianapolis, Indiana 46268-0007
Telephone 317/872-3200

P.D. Box 68007
Indianapolis, Indiana 46268-0007
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Indianapolis, Ind

Ms. Uylaine E. McMahan, Chief IN/MN/OH Enforcement Program Section (HRE-8J) United States Environmental Protection Agency Region V 77 West Jackson Boulevard Chicago, IL 60604-3590

> RE: Notice of Violation Marathon Petroleum Co. Indiana Refining Division, Indianapolis, Indiana

Dear Ms. McMahan:

This letter is in response to the Notice of Violation issued by the United States Environmental Protection Agency (USEPA), Region V, dated February 19, 1992 and received on February 26, 1992. The correct EPA ID No. for Marathon Oil Company, Indiana Refining Division is IND 006 417 430.

Marathon Oil Company, Indiana Refining Division, is in compliance with the Land Disposal Restriction Regulations. Proper notifications are sent with each shipment of hazardous waste. A copy of each notification is retained on-site. An example of the forms that are sent with shipments to the disposal sites currently utilized by Marathon are included per your request.

Concerning the shipments cited in the December 1990 IDEM inspection report the following information has been gathered. A copy of the land disposal restriction notice could not be obtained from Safety-Kleen for shipments on 9/17/90, 10/1/90, 10/19/90, and 11/14/90. Forms have been sent to Safety-Kleen for these loads with a copy on file. The file copy of the notice for the 9/7/90 shipment to Safety-Kleen was located in our records. Copies of these forms are enclosed. The current forms for shipments to Systech include all the necessary references to the treatment standards.

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Ms. Uylaine E. McMahan March 25, 1992

Please contact the undersigned at 317/872-3200 if you have any questions.

Sincerely,

Patricia B. Sorensen

Environmental Coordinator

enclosure

cc: R. Andes, MOC

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NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE

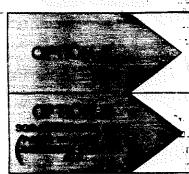
TO:

SAFETY-KLEEN CORPORATION (DESIGNATED FACILITY)

EPA ID NO. OHD 9805 8 73 6 4

ACLIESS: 581 MilliKan DR SE HERROW OH 43025

INA 0457485



Under manifest number 457485, and/or sales/service acknowledgement number 715452, the generator noted below is shipping to you a waste determined to be restricted under 40 CFR Part 268. In accordance with 40 CFR 268.7, the generator hereby provides notice that the waste is restricted from land disposal. A copy of this form must be kept by the generator and facility for five (5) years from the date of waste shipment.

I am a small quantity generator (100-1,000 kg/mo). This notice applies to ail waste shipments under my service contract with Safety-Kleen Corp. It covers today's shipment on manifest number ______, or sales/service acknowledgement number ______, and all subsequent ashipments. A copy of this notice will be maintained with the service contract(s) or sales/service acknowledgement(s) for five (5) years beyond the termination of the service contract.

7	WASTE NAME	EPA WASTE CODE	THE WASTE MAY CONTAIN THE FOLLOWING RESTRICTED CONSTITUENTS	TREATMENT STANDARD (mg/l) OR METHOD
PLEASE C	Waste Petroleum Naphtha	D001	Ignitable Liquid Halogenated organic compounds may include: —Methylene chloride —Tetrachloroethylene —Toluene —1.1.1 trichloroethylene —Trichloroethylene —Xylene	Incineration, fuelth substitution or recovery. See Individual standards standards per 40 CFR 288.41 (a) 0.96 0.05 0.33 0.41 0.091 0.15
OK	Waste Petroleum Naphtha (sludges from Safety-Kleen Service) Center Operations)	D001, D006, D008,	All of the above, plus: —Cadmium —Lead	
H E	☐ Waste Compound Cleaning Liquid/ Immersion Cleaner	F004	Cresylic Acid 1, 2-dichlorobenzene Methylene Chloride	0.75 0.125 0.98
A P	☐ Waste Perchloroethylene	F002	Tetrachlo:oethylene	0.06
P R O	Waste TrictNoro- trifluoroethane	F002	Trichlorotrifluoroethane	0.96
P 1	☐ Waste 1,1,1 — Trichloroethane	F002	1,1,1 Trichloroethane	0.41
ATE BOXES	☐ Waste Paint Related Material	F005, F003, D001, D006, D008	Acetone Methyl Ethyl Ketone Methyl Isobutyl Ketone Toluene Xylene Cadmium Chromium Lead Ignitable Liquid	0.59 0.75 0.33 0.33 0.15 1.0 5.0 Incineration, fuel substitution or recovery.

Safety-Kleen Corp. manages the above waste through its recycling and fuels programs in accordance with all applicable elements of the land disposal restrictions.

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NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE



TO:

SAFTEY-KLEEN CORP.
(DESIGNATED FACILITY)

EPA ID NO.

3HD980587364

(DESIGNATED FACILITY)

SAFETY-KLEEN CORP 581 MILLIKEN DR SE

ADDRESS:

BOXES

HEBRON, OHIO 43025

Under manifest number

INA 0473010

1.0

5.0

INCIN, FSUBS, or RORGS

of waste shipment. I am a small quantity generator (100-1,000 kg/mo) in accordance with 40 CFR 268.7. This notice applies to all waste shipments under my service contract with Safety-Kleen Corp. It covers today's shipment on manifest No, or sales / service acknowledgement No, and all subsequent shipments. A copy of this notice will be maintained with the service contract(s) or sales/service acknowledgement(s) for five (5) years beyond the termination of the service contract.					
Ø	WASTE NAME	EPA * WASTE CODE	THE WASTE MAY CONTAIN THE FOLLOWING RESTRICTED CONSTITUENTS	TREATMENT STANDAT D (mg/l) OR METHOD (FOR NON-WASTE W ATER)	
P L E	Waste Petroleum Naphtha	D001	Ignitable Liquid (High TOC Subcategory) Halogenated Organic Compounds (HOC's) ≥ 1000 mg/l	Incineration (INCIN), fuel substitution (FSUBS) or recovery (RORGS) iNCIN	
A SE	Waste Petroleum Naphtha (sludges from Safety-Kleen Service Center Operations)	D001, D006, D007, D008,	All of the above, plus: —Cadmium —Chromium —Lead	1.0 5.0 5.0	
K	Waste Compound Cleaning Liquid/ Immersion Cleaner 609	F002, F004, D006, D007, D008,	Cresylic Acid 1, 2-dichlorobenzene Methylene Chloride —Cadmium —Chromium —Lead	0.75 0.125 0.96 1.0 5.0 5.0	
T H E	Waste Compound Cleaning Liquid/ Immersion Cleaner 699	D006, D007, D008,	HOC's ≥ 1000 mg/l —Cadmium —Chromium —Lead	INCIN 1.0 5.0 5.0	
A P	Waste Perchioroethylene	F002	Tetrachloroethylene	0.05	
R O	Waste Trichloro-	F002	Trichlorotrifluoroethane	0.98	
P	Waste 1,1,1 Trichloroethane	F002	1,1,1 Trichloroethane	0.41	
A T E	Waste Paint Related Material	F005, F003,	Acetone Methyl Ethyl Ketone Methyl Isobutyl Ketone Toluene	0.59 0.75 0.33 0.33	

The constituent composition is based on knowledge of the waste (via Material Safety Data Sheets for the chemical(s) used, and the process which created the waste). This listing does not include waste codes which are not yet restricted from land disposal.

ignitable Liquid (High TOC Subcategory)

Xylene Cadmium

Chromium

D007,

D001.

	does not include waste codes which are not yet restricted from land dards do not preclude reciamation prior to final disposition.	d disposal. 4-076-02-7225 0304 99439
nerator Company: _	MARATHON PETROLEUM CO	EPA ID NO.: IND006417430
		Shipment date 09/17/90 Form completed to replace
Generator's Signature:	x fat Ineusen	
Printed Name and Titl	le of Generator: Pat Somewhen ENVS. Coord. 3	1/25/92 missing notice.

Safety-Kleen Corp. manages the above waste through its recycling and fuels programs in accordance with all applicable elements of the land disposal restrictions.

GENERATOR

Part No. 1328 (Rev. 11/90)

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NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE

EPA ID NO.

3HD980587364

(DESIGNATED FACILITY)

SAFTEY-KLEEN CORP.
(DESIGNATED FACILITY)

SAFETY-KLEEN CORP 581 MILLIKEN DR SE HEBRON, OHIO 43025

INA 0480239

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	a la cara com la company
	The Market Annual Control Control To Day To Day

TO:

ADDRESS:

estrictions.

Under manifest number the generator noted below is shipping to you a waste determined to be restricted under 40 CFR Part 268. In accordance with 40 CFR 268.7, the generator hereby provides notice that the waste is restricted from land disposal. A copy of this form must be kept by the generator and facility for five (5) years from the date of waste shipment.

I am a small quantity generator (100-1,000 kg/mo) in accordance with 40 CFR 268.7. This notice applies to all waste shipments under my service contract with Safety-Kleen Corp. It covers today's shipment on manifest No.

, or sales / service acknowledgement No.

, and all subsequent shipments. A copy of this notice will be maintained with the service contract(s) or sales/service acknowledgement(s) for five (5) years beyond the termination of the service contract.

7	WASTE NAME	EPA WASTE CODE	THE WASTE MAY CONTAIN THE FOLLOWING RESTRICTED CONSTITUENTS	TREATMENT STANDAT D (mg/l) OR METHOD (FOR NON-WASTE W ATER)
P L E	Waste Petroleum Naphtha	D001	ignitable Liquid (High TOC Subcategory) Halogenated Organic Compounds (HOC's) ≥ 1000 mg/l	Incineration (INCIN), fuel substitution (FSUBS) or recovery (RORGS)
A S E	Waste Petroleum Naphtha (sludges from Safety-Kleen Service Center Operations)	D001, D006, D007, D008,	All of the above, plus: —Cadmium —Chromium —Lead	1.0 5.0 5.0
(C) K	Waste Compound Cleaning Liquid/ Immersion Cleaner 609	F002, F004, D006, D007, D008,	Cresylic Acid 1, 2-dichlorobenzene Methylene Chloride —Cadmium —Chromium —Lead	0.75 0.125 0.96 1.0 5.0 5.0
T H E	Waste Compound Cleaning Liquid/ Immersion Cleaner 699	D006, D007, D008,	HOC's ≥1000 mg/l —Cadmium —Chromium —Lead	INCIN 1.0 5.0 5.0
A P P	☐ Waste Perchloroethylene	F002	Tetrachloroethylene	0.06
R O	Waste Trichloro- trifluoroethane	F002	Trichiorotrifluoroethane	0.98
P R	☐ Waste 1,1,1 Trichloroethane	F002	1,1,1 Trichloroethane	0.41
A T E B O X E S	Waste Paint Related Material	F005, F003, D006, D007, D008, D001,	Acetone Methyl Ethyl Ketone Methyl Isobutyl Ketone Toluene Xylene Cadmium Chromium Lead Ignitable Liquid (High TOC Subcategory)	0.59 0.75 0.33 0.33 0.15 1.0 5.0 5.0 INCIN, FSUBS, or RORGS
S		טטטז,	ignitable Eduit (riigh 100 cabatagus)	niolit, races, a nonga

*These treatment standards do not preclude reclamation prior to final disposition.	4-076-02-7225 0304 99439
Generator Company: MARATHON PETROLEUM CO	shipment date 10-01-90 Form completed to replace
A +	shipment date 10-01-90
Generator's Signature: X fat Saluseu	Form completed to replace
Generator's Signature: \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\	Date: Missing Bothale.
Printed Name and Title of Generator: Pat Soversen Euri. Cond.	3/25/92 MISSING TO THE
Safety-Kleen Corn, manages the shows weste through its recycling and fliels programs in	The second of the least second of the least disperse

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NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE

TO:

ADDRESS:

restrictions.

SAFTEY-KLEEN CORP. (DESIGNATED FACILITY)

3HD980587364 EPA ID NO.

(DESIGNATED FACILITY)

SAFETY-KLEEN CORP 581 MILLIKEN DR SE 43025 HEBRON, CHIO

INA 0492759



59504 Under manifest number the generator noted below is shipping to you a waste determined to be restricted under 40 CFR Part 268. In accordance with 40 CFR 268.7, the generator hereby provides notice that the waste is restricted from land disposal. A copy of this form must be kept by the generator and facility for five (5) years from the date of waste shipment.

I am a small quantity generator (100-1,000 kg/mo) in accordance with 40 CFR 268.7. This notice applies to all waste shipments under my service contract with Safety-Kleen Corp. It covers today's , or sales / service acknowledgement No. shipment on manifest No.

and all subsequent shipments. A copy of this notice will be maintained with the service contract(s) or sales/service acknowledgement(s) for five (5) years beyond the termination of the service contract.

]	WASTE NAME	EPA * WASTE CODE	THE WASTE MAY CONTAIN. THE FOLLOWING RESTRICTED CONSTITUENTS	TREATMENT STANDATD (mg/l) OR METHOD (FOR NON-WASTE WATER)
	Waste Petroleum Naphtha	D001	Ignitable Liquid (High TOC Subcategory) Halogenated Organic Compounds (HOC's) ≥ 1000 mg/l	Incineration (INCIN), fuel substitution (FSUBS) or recovery (RORGS INCIN
	Waste Petroleum Naphtha (sludges from Safety-Geen Service Center Operations)	D001, D008, D007, D008,	All of the above, plus: —Cadmium —Chromium —Lead	1.0 5.0 5.0
	Waste Compound Cleaning Liquid/ Immersion Cleaner 609	F002, F004, D006, D007, D008,	Cresylic Acid 1, 2-dichlorobenzene Methylene Chloride —Cadmium —Chromium —Lead	0.75 0.125 0.96 1.0 5.0 5.0
	Waste Compound Cleaning Liquid/ Immersion Cleaner 899	D006, D007, D008,	HOC's ≥ 1000 mg/l —Cadmium —Chromium —Lead	INCIN 1.0 5.0 5.0
	☐ Waste Perchloroethylene	F002	Tetrachloroethylene	0.05
}	Waste Trichloro- trifluoroethane	F002	Trichlorotrifluoroethane	0.96
	Waste 1,1,1 Trichloroethane	F002	1,1,1 Trichloroethane	0.41
	Waste Paint Related Material	F005, F003,	Acetone Methyl Ethyl Ketone Methyl isobutyl Ketone Toluene Xylene	0.59 0.75 0.33 0.33 0.15
		D006, D007, D008, D001,	Aylene Cadmium Chromium Lead Ignitable Liquid (High TOC Subcategory)	1.0 5.0 5.0 INCIN, FSUBS, or RORGS

he waste). This listing does not include waste codes which are not yet restric	Safety Data Sheets for the chemical(s) used, and the process which created ted from land disposal.
*These treatment standards do not preclude reclamation prior to final disposi	tion.
Generator Company: MARATHON PETROLEUM CO	EPA ID NO.: I ND006417430
Generator's Signature: X Pat Sources	Shipment date: 10-19-90 Form completed to replace
Printed Name and Title of Generator: Pat Screusers. En	w. Coord. 3/25/52 missing notice.
	s programs in accordance with all applicable elements of the land disposal

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ADDRESS:

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NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE

TO:

SAFTEY-KLEEN CORP. (DESIGNATED FACILITY)

JHD980587354 EPA ID NO.

(DESIGNATED FACILITY)

SAFETY-KLEEN CORP 581 MILLIKEN DR SE SB1 MILLIKEN HEBRON, JHIO 43025

TNA 0503978

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06309 he generator noted below is shipping to you a waste determined to be restricted under 40 CFR Part 288. n accordance with 40 CFR 268.7, the generator hereby provides notice that the waste is restricted from and disposal. A copy of this form must be kept by the generator and facility for five (5) years from the date am a small quantity generator (100-1,000 kg/mo) in accordance with 40 CFR 268.7. This notice

pplies to all waste shipments under my service contract with Safety-Kleen Corp. It covers today's , or sales / service acknowledgement No. nd all subsequent shipments. A copy of this notice will be maintained with the service contract(s)

ir sales/service acknowledgement(s) for five (5) years beyond the termination of the service contract.

V	WASTE NAME	EPA . WASTE CODE	THE WASTE MAY CONTAIN THE FOLLOWING RESTRICTED CONSTITUENTS	TREATMENT STANDAT D (mg/l) OR METHOD (FOR NON WASTE WATER)
P L E	Waste Petroleum Naphitha	D001	Ignitable Liquid (High TOC Subcategory) Halogenated Organic Compounds (HOC's) ≥ 1000 mg/l	Incineration (INCIN), fuel substitution (FSUBS) or recovery (RORGS) INCIN
A S E	Waste Petroleum Naphitha (sludges from Safety-Kleen Service Center Operations)	D001, D008, D007, D008,	All of the above, plus: —Cadmium —Chromium —Lead	1.0 5.0 5.0
H K	Waste Compound Cleaning Liquid/ Immersion Cleaner 609	F002, F004, D006, D007, D008,	Cresylic Acid 1, 2-dichlorobenzene Methylene Chloride —Cadmium —Chromium —Lead	0.78 0.125 0.96 1.0 5.0 5.0
T H E	Waste Compound Cleaning Liquid/ Immersion Cleaner 699	D006, D007, D008,	HOC's ≥ 1000 mg/l —Cadmium —Chromium —Lead	INCIN 1.0 5.0 5.0
A P	☐ Waste Perchloroethylene	F002	Tetrachioroethylene	0.05
R O	Waste Trichloro-	F002	Trichlorotrifluoroethane	0.96
2	Waste 1,1,1 Trichloroethane	F002	1,1,1 Trichloroethene	0.41
A T E B O X E S	Waste Paint Related Material	F005, F003, D006, D007, D008, D001,	Acetone Methyl Ethyl Ketone Methyl Isobutyl Ketone Toluene Xylene Cadmium Chromium Lead Ignitable Liquid (High TOC Subcategory)	0.59 0.75 0.33 0.33 0.15 1.0 5.0 5.0 INCIN, FSUBS, or RORGS

The constituent composition is based on knowledge of the waste (via Material Safety Data Sheets for the chemical(s) used, and the process which create

ne waste). This listing does not include waste codes which are not yet restricted from land disposal. These treatment standards do not preclude reclamation prior to final disposition.	4-076-	02-7225 0304	99439
Generator Company: MARATHON PETROLEUM CO	PA ID NO.:	IND006417430	
Generator's Signature: X Fut Loneuser	ships	rent date 11-14 recompleted to me	-90 place
Printed Name and Title of Generator: Pat Smensen Fair, Cook. 3/25	192 miss		

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VOTIFICATION OF HAZARDOUS WASTE RESTRICTED 1. M LAND DISPOSAL

Systech Environmental Corporation 245 Borth Valley Road Xenia, Chio 45385

This form must be completed by the generator and should accompany each shipment of waste subject to land ban restrictions (40 CFR 258). Use a separate form for each line (11a, 11b, 11c, 11d) on your manifest. Check the appropriate category(ies) on the table(s) from Sections I, II, and III below and be sure to sign at the bottom.

enerator Name:		PA	I.D. #:	111			
enifest Doc No.:	Sy1	stech Waste Profile No.	: 111	44	LI dingsi din		
ate of Shipment:	EP/	A Weste Code		1, 1, 1		eranagrafi Aranganagrafi	43.45%, VA.
ANIFEST LINE #: ()11a ()11b ()11c ()11d		1		g the salas in a salas		
Panifest No:							
. The wastes identified ubject to the land disposubpart D or the prohibiting 40 CFR 268, we are indiscript Code for how the waste of the code for how the wa	al restrictions of 40 CFR ons specified in 40 CFR 2 cating below the applicab	nifest number and bear Part 268. The wastes 68.32 or RCRA Section : le subcategory, Treatal	ng the E do not m 1004 (d).	PA Baze leet the In co oup and	rdous Waste Number(s) identifureatment standards apecificable mpliance with the notification restment Standard Reference	(ied abo ed in 40 en requi	rve are) CFR 26 rements /*
F001 to F005 Solvent Was	tos				Smooth de la company de la com		
Hazardous Waste Description	Constituents of Concern	Hon-Wastewater Total Composition, mg/kg	TCLP.		Wastewater, Total Composition, mg/L	TCLP, mg/L	
3.		CCH ¹	CCHE2	maju _i j	CCH1	CCME ²	dijaha
F001 - Spent halogenated solvents used in degressing	Carbon tetrachloride Methylene chloride Tetrachloroethylene 1,1,1-trichloroethane Trichloroethylene 1,1,2-Trichloro-1,2,2- trifluorethane Trichlorofluoromethane	· 55 / 56 / 57 / 57 / 57 / 57 / 57 / 57 /	0.96 0.96 0.05 0.41 0.091 0.96			0.05 0.20 0.079 1.05 0.062 1.05	
F002-Spent helogenated solvents	Chlorobenzene 1,2-Dichlorobenzene Methylene chloride Hethylene chloride (from pharmaceutical industry) Tetrachloroethylene 1,1,1-Trichloroethene 1,2-Trichloroethene Trichloroethylene 1,1,2-Trichloro-1,2,2-tri fluoroethene Trichlorofluoromethene		0.05 0.125 0.96 0.05 0.41 .091		.44	0.15 0.55 0.20 0.079 1.05 0.062 1.05	
F003-Spent nonhalogenated solvents	Acetone n-Butyl alcohol Cycloheranome Ethyl acetate Ethyl benzene Ethyl ether Methanol Methyl isobutyl ketone Xylene		0.59 5.0 0.75 0.75 0.053 0.75 0.75 0.33 0.15			0.05 5.0 0.125 0.05 0.05 0.05 0.05 0.05 0.05	
F004-Spent nonhalogenated solvents	Cresols (and cresylic ac Hitrobensene	id)	0.750 0.125			2.82 0.66	
F005-Spent nonhalogenated solvents	Benzene Carbon disulfide 2-Ethoxyethanol	3.7 Incineration	4.81		0.070 Biological degradation or incineration	1.05	
	Isobutanol Mathyl athyl katona 2-Nitropropana	Incineration	5.0 0.75		(Wet oxidation or chemical oxidation) followed by carbon adsorption or	5.0 0.05	
	Pyridine Toluene		0.33 0.33	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	incineration	1.12 1.12	

II. California List Wastes

() PCBs >50 ppm (incineration).
() Liquid hazardous wastes that contain halogenated organic compounds (HOC's) in total concentration
> or = to 1,000 mg/l liquids or 1,000 mg/kg (nonliquids). (INCINERATION) (HOC's found in 268.32 Appendix III.
see attached).

() Nickel (liquid waste) >134 ppm. () Thallium (liquid waste) >130 ppm.

III. Additional Bazardous Characteristics

- () No additional Hazardous Characteristics are exhibited by this waste which would require treatment beyond the standards
- described above.

 () Treatment Standards for the additional Hazardous Characteristics requiring treatment are indicated below.
- Table A: TREATMENT STANDARDS FOR ADDITIONAL HAZARDOUS WASTE CHARACTERISTIC TREATMENT STANDARDS (40 CFR 268)
 Check any applicable subcategories.

		100	NONWASTEWATER		HASTEL	ATER
Rezardous Waste Subcategories	Constituents of Concern	Total	Composition			
D001 - Ignitable liquids High - TOC nonwestewater (>10% TOC)		INCIN,	FSUBS, RORGS		H.A.	es la ser la factor
D001 - Ignitable liquids (Low TOC nonwestewater		DEACT	ere e a l'illeration de la communication de la		N.A.	en need a Miller
1% TOC <10%) D001 - Ignitable liquids wastewater		N.A.			DEACT	na termina ja vist
(<1% TOC <1% TSS) D001 - Ignitable compressed gases	e olimento e Borrito e en obeses	DEACT			W.A.	
DOOL - Tenitable reactives	parliment lialite li schola spila devila Reprintagnis i sel i seven seven i Refristrik i dan separa di selatanda	DEACT			DEACT	
D004 - Arsenic D005 - Berium D006 - Cadmium D007 - Chromium	Arsenic Barium Cadmium			5 100 1	5 100 1 5	
D008 - Lead D009 - Low mercury (< 250mg/kg total Hg)	Chromium (total) Lead Mercury	4000	Colored Colored Colored	5 0.2	5 0.2	e v diagrafiero.
D009 - High mercury (> or = 250 mg/kg total Hg) D010 - Selenium	Mercury w/organics Mercury w/inorganics Selenium	IMERC, RMERC	RMERC	, 5.7 ,	. 1 ::::	
D011 - Silver D012 - Endrin D013 - Lindene D014 - Methoxychlor	Silver Endrin Lindane Methoxychlor	0.13 0.066 0.18	1,000		INCIN, BIOL INCIN, CARI INCIN, WET	X X
D015 - Toxaphene D016 - 2,4-D D017 - 2,4,5-Silvex	Toxaphene 2,4-D 2,4,5-TP	1.3 10 7.9	1 1	rende kjeneri i od . Rojski izvog polik Projekti i od .	INCIN, BIOL INCIN, CHO INCIN, CHO	D, Blood

Vppie.	viations of technology	codes from 40 CFR	268.42:	- 1,194, 195 - 3 	
INCIN	(Incineration)		DE	EACT (Deactivation to re	move the characteristic)
FSIJBS	(Fuel substitution)		RT	THRM (Thermal recovery)	
	(Recovery of organics)				f lead in secondary smelters)
	(Rossting/retorting of			4.GM (Amelgametion)	gering grave regarded a service
RECRC	(Incineration followed	by roasting/reto		CODG (Biodegradation)	and the state of t
	.of axh) (Wet eir oxidation)	and the second		ARBW (Carbon adsorption)	and the second and th

Table B: 1. List all U.S. EPA hazardous waste codes requiring treatment beyond the standards described in Sections I, II, and Table A. For each waste code: 2. Identify the appropriate line \$ from the manifest Section 11; 3. List the corresponding subcategory; check none if there is no subcategory; 4. Complete the treatment standards section by placing a checkmark in the appropriate performance-based column or write the appropriate code in the specific technology column (listed above); and 5. Place a checkmark in the column that applies to this waste.

1. U.S. EPA Bezardous Waste Code (s)	2. Manifest Line # Section 11	3. Subcategory Description Hone	Performance Based 268.41(a) 268.43	Treatment Specified Technology 268,42	5. Waste Hamage Method (enter number from below) Waste- Honwaste- water water
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I hereby certify that all information	ation submitted in this and all association	iated documents	is complete and accurate to the bes	t of m
Certification	and the state of t		a service of the service	
·	***			

100W - Constituent concentrations in wastes. 200WE - Constituent concentrations in waste extract.

T Detech	CALCITA COMP WIT	THIOLDER :	amountried ID	CHIS	and arts	###OCY###	COCOMMETICS	18	combrers	#EDG	sccarate	to	CD4 D	HEST.	OZ E	,
knowledge	and information.															
-										1,000	1996年1997年1月1日 - 1997年1月1日 - 1997年1日 - 1997	-	March 1994		111	

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Authorized Signature	Date		Revised 11/09/90



ADDRESS:

NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE

O:

SAFTEY-KLEEN CORP.
(DESIGNATED FACILITY)

EPA ID NO. 3HD980587364

(DESIGNATED FACILITY)

SAFETY-KLEEN CORP 581 MILLIKEN DR SE HEBRON, DHIO 43025

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Jan Property	100 V 610 GO	Same of the same	Street Name	10°00 440		1000	

Under manifest number
the generator noted below is shipping to you a waste determined to be restricted under 40 CFR Part 268.
In accordance with 40 CFR 268.7, the generator hereby provides notice that the waste is restricted from land disposal. A copy of this form must be kept by the generator and facility for five (5) years from the date of waste shipment.

i am a small quantity generator (100-1,000 kg/mo) in accordance with 40 CFR 268.7. This notice applies to all waste shipments under my service contract with Safety-Kleen Corp. It covers today's shipment on manifest No. ______, or sales / service acknowledgement No._____.

and all subsequent shipments. A copy of this notice will be maintained with the service contract(s) or sales/service acknowledgement(s) for five (5) years beyond the termination of the service contract.

Naste Petroleum D001,	WASTE NAME	EPA * WASTE CODE	THE WASTE MAY CONTAIN THE FOLLOWING RESTRICTED CONSTITUENTS	TREATMENT STANDATD (mg/l) OR METHOD (FOR NON-WASTE WATER)
Center Operations D008,	Naphtha	D001	Halogenated Organic Compounds	Incineration (INCIN), fuel substitution (FSUBS) or recovery (RORGS) INCIN
H		D006, D007,	—Cadmium —Chromium	5.0
Cleaning Liquid/	☐ Waste Compound Cleaning Liquid/	F004, D006, D007,	1, 2-dichlorobenzene Methylene Chloride —Cadmium —Chromium	0.125 0.96 1.0 5.0
Particular Par	Cleaning Liquid/	D007,	—Cadmium —Chromium	1.0 5.0
R	□ Waste Perchloroethylene	* *	Tetrachloroethylene	0.05
Naste 1,1,1 F002 1,1,1 Trichloroethane 0.41	Waste Trichtoro-	F002	Trichlorotrifluoroethane	
T Related Material F003, Methyl Ethyl Ketone 0.75 Methyl Isobutyl Ketone 0.33 Toluene 0.33 Xylene 0.15 Cadmium 1.0 Chromium 5.0 Chromium 5.0 Ched 5.0 Chromium 5.0 Ched 5.0 Chromium C	₩aste 1,1,1	F002	1,1,1 Trichloroethane	
E D001, Ignitable Liquid (High TOC Subcategory) INCIN, FSUBS, or RORGS	Related Material	F003, D006, D007,	Methyl Ethyl Ketone Methyl Isobutyl Ketone Toluene Xylene Cadmium Chromium	0.75 0.33 0.33 0.15 1.0 5.0

The constituent composition is based on knowledge of the waste (via Material Safety Data Sheets for the chemical(s) used, and the process which created the waste). This listing does not include waste codes which are not yet restricted from land disposal.

	dards do not preclude reclamation prior to final disposition.	4-076-02-722	5 0304	994394
Generator Company:	MARATHON PETROLEUM CO	EPA ID NO.: I NDOO	6417430	
Generator's Signature:	X,	Date:		
Printed Name and Tit	le of Generator			

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L W D, INC. P.O. BOX 327 — CALVERT CITY, KENTUCKY 42029

	State Manifest Document Number
	in compliance with 40 CFR 268.7.
I. WASTE IDENTIFICATION Identify all U.S. EPA hazardous was group(s) applicable to this waste in A. D001: 1) Ignitable Liquids:a) Nward in A. D002:1) Acids;2) Alward in C. D003:1) Reactive Cyanides4) Water Reactives; DD009:K106:U151:	W ¹ TOC ≥10%; b) NWW ¹ 1% to <10% TOC; c) WW ² Ises; 3) Ignitable Reactives; 4) Oxidizers Islane; 3) Other Corrosives I; 2) Reactive Sulfides; 3) Explosives; 5) Other Reactives 1) Low Mercury; 2) High Mercury
H. Treatability Group (if not pre Wastewater; X Non-Wast	viously indicated): ewater; List any others
II. LAND DISPOSAL RESTRICTIONS	L
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA	hazardous waste number(s) K048, K049, K050, K051 pressed as constituent concentrations in waste extract hazardous waste number(s) K048, K049, K050, K051
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA have treatment standards ex per 40 CFR 268.43.	pressed as constituent concentrations in waste extract hazardous waste number(s) KO48, KO49, KO50, KO51 pressed as constituent concentrations in waste (CCW)
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA have treatment standards ex per 40 CFR 268.43. C. Restricted wastes with EPA have treatment standards ex List the applicable five-le	pressed as constituent concentrations in waste extract hazardous waste number(s) RO48, KO49, KO50, KO51 pressed as constituent concentrations in waste (CCW) hazardous waste number(s) pressed as a specific technology per 40 CFR 268.42. tter treatment code:
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA have treatment standards ex per 40 CFR 268.43. C. Restricted wastes with EPA have treatment standards ex List the applicable five-le INCIN: DEACT: D. Wastes with EPA hazardous w	pressed as constituent concentrations in waste extract hazardous waste number(s) pressed as constituent concentrations in waste (CCW) hazardous waste number(s) pressed as a specific technology per 40 CFR 268.42. tter treatment code: _STABL: Other aste number(s) having a
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA have treatment standards ex per 40 CFR 268.43. C. Restricted wastes with EPA have treatment standards ex List the applicable five-le INCIN: DEACT: D. Wastes with EPA hazardous w treatment standard based on	pressed as constituent concentrations in waste extract hazardous waste number(s) pressed as constituent concentrations in waste (CCW) hazardous waste number(s) pressed as a specific technology per 40 CFR 268.42. tter treatment code: STABL: Other aste number(s) having a incineration and are contaminated soil and debris, ar
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA have treatment standards ex per 40 CFR 268.43. C. Restricted wastes with EPA have treatment standards ex List the applicable five-le INCIN: DEACT: D. Wastes with EPA hazardous w treatment standard based on not subject to the land dis	pressed as constituent concentrations in waste extract hazardous waste number(s) pressed as constituent concentrations in waste (CCW) hazardous waste number(s) pressed as a specific technology per 40 CFR 268.42. tter treatment code: STABL: Other aste number(s) incineration and are contaminated soil and debris, are posal prohibition until
X A. Restricted wastes with EPA have treatment standards ex (CCWE) per 40 CFR 268.41. X B. Restricted wastes with EPA have treatment standards ex per 40 CFR 268.43. C. Restricted wastes with EPA have treatment standards ex List the applicable five-le INCIN: DEACT: D. Wastes with EPA hazardous w treatment standard based on not subject to the land dis	pressed as constituent concentrations in waste extract hazardous waste number(s) pressed as constituent concentrations in waste (CCW) hazardous waste number(s) pressed as a specific technology per 40 CFR 268.42. tter treatment code: STABL: Other aste number(s) incineration and are contaminated soil and debris, asposal prohibition until
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I hereby (mysknowledidentified levels specifical)	pH Free Cyanides Arsenic and/or compound Cadmium and/or compound Chromium (VI) and/or Lead and/or compound Mercury and/or compound Selenium and/or compound Thallium and/or compound Hazardous wastes (a compounds (HOCs) ir	ounds(accoun	s As) Cd) unds(as Cr V b) Hg) Ni) s Se) st Tl) sludge or li concentration bmitted is the restricted at facility	LIMITS \$\leq 2.0\$ \$\geq 1,000 \text{ mg/1}\$ \$\leq 500 \text{ mg/1}\$ \$\leq 134 \text{ mg/1}\$ \$\leq 130	ed organ	nic t of properly
I hereby (mysknowledidentified levels specifical)	pH	ounds(accoun	s As) Cd) unds(as Cr V b) Hg) Ni) s Se) st Tl) sludge or li concentration bmitted is the restricted at facility	LIMITS \$\leq 2.0 \$\geq 1,000 \text{ mg/1}\$ \$\leq 500 \text{ mg/1}\$ \$\leq 134 \text{ mg/1}\$ \$\leq 100 \text{ mg/1}\$ \$\leq 130 \text{ mg/1}\$	ed organ	nic t of properly
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Appendix I hereby composition	pH Free Cyanides Arsenic and/or compound (VI) and/or Chromium (VI) and/or Lead and/or compound Mercury and/or compound (Selenium and/or compound Thallium and/or compound (HOCs) in certify that all information, and dge and information, and	ounds(acreomposis(as Pounds(as nds(as pounds(as nounds(as nounds(a	As) Cd) unds(as Cr V D) Hg) Hi) Is Se) Is Tl) Concentration	LIMITS \$\leq 2.0\$ \$\geq 1,000 \text{ mg/1}\$ \$\geq 500 \text{ mg/1}\$ \$\geq 20 \text{ mg/1}\$ \$\geq 134 \text{ mg/1}\$ \$\geq 130	ed organ	nic t of properly
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And	or characteristics: pHEree CyanidesArsenic and/or compositeCadmium and/or compositeChromium (VI) and/orLead and/or compositeMercury and/or compositeNickel and/or compositeSelenium and/or compositeHazardous wastes (acompounds (HOCs) in	ounds (accomposite (as Piounds (accomposite (as pounds (accomposite (a	As) Cd) unds(as Cr V b) S Hg) Ni) S Se) S Tl) Sludge or lice	LIMITS \$\leq 2.0 \$\geq 1,000 \text{ mg/1}\$ \$\geq 500 \text{ mg/1}\$ \$\geq 134 \text{ mg/1}\$ \$\geq 130 \text{ mg/1}\$	ng cons	nic
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i Politika baski	pH	ounds (accomposite (as Plounds (accomposite (as pounds (accomposite (a	As) Cd) unds(as Cr V b) Hg) Ni) As Se) Hs Tl)	LIMITS \$\leq 2.0 \$\geq 1,000 mg/1 \$\geq 500 mg/1 \$\geq 134 mg/1 \$\geq 130 mg/1	ng cons	tituents
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i Politika bassi	or characteristics: pHEree CyanidesArsenic and/or compoundCadmium and/or compoundChromium (VI) and/orLead and/or compoundNickel and/or compoundSelenium and/or compound	ounds (accomposis (as P) ounds (accomposite (as P) ounds (accomposite	* As }	LIMITS \$\leq 2.0 \$\leq 1,000 \text{ mg/1}\$ \$\leq 500 \text{ mg/1}\$ \$\leq 134 \text{ mg/1}\$ \$\leq 100 \text{ mg/1}\$	ng cons	
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i deservices	or characteristics: pHEree CyanidesArsenic and/or compo	::::::::::::::::::::::::::::::::::::::	an and an and an	ge, containing the followi LIMITS ≤2.0 ≥1,000 mg/1 ≥500 mg/1		
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		n any s 	and the state of the	ge, containing the followi		
		n any s	olid or slud			
			-111			
				quid hazardous waste, incl		
	by a more specific pro					
			•	constituent has not already	Deen a	adressed
	California List Wastes			papa - Palai III - Palain Balain - Balain Albain Balain Balain Balain Balain - Balain Bal		
,a.	methylene chloride:).	•	gagaren X ilaren	THE PARTY OF THE PARTY OF THE PROPERTY.	$\mathcal{F}_{t}(\mathcal{F}_{t}) \to X_{t+1}$	
			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	ndustry wastewater subcate	gory	.
	• • • • • • • • • • • • • • • • • • •			The second of th	and the second	-11711
	enzene	0.070	3.7	2-Ethoxyethanol	INCIN	INCIN
	,1,2-Trichloroethane	0.030	7.6	2-Nitropropane	INCIN	INCIN
	Company of the Company of the State of the Company	CCW	(in mg/1)		the self-	gy Code
	ethanol	0.25	0.75	Xylene	0.05	0.15
	sobutanol	5.00	5.00	Trichlorofluoromethane		0.96
	thyl Ether	0.05	0.75	Trichloroethylene	0.062	0.091
	thylbenzene	0.05	0.053 _{(0.0}	1,1,1-Trichloroethane	1.05	0.41
	thyl Acetate	0.05	0.75	1,2,2-Trifluoroethane	1.05	0.96
	,2-Dichlorobenzene	0.65	0.125	1,1,2-Trichloro -	4 * 4 * 4 * * * * * * * * * * * * * * *	
	yclohexanone	0.125	0.75	Toluene	1.12	0.33
	resols(and cresylic acid	4.00	0.75	Tetrachloroethylene	0.079	0.05
	hlorobenzene	0.15	0.05	Pyridine	1.12	0.33
. —	arbon Tetrachloride	0.05	0.96	Nitrobenzene	0.66	0.125
	arbon Disulfide	1.05	4.81	Methyl Isobutyl Ketone		
	-Butanol	5.00	5.00	Methyl Ethyl Ketone	0.05	0.75
	cetone see see	0.05	0.59	Spent Solvents Methylene Chloride	0.20	NWW
· •	-5 t Solvents	CCWE	(in mg/l)	F001-5	CCWE .	(in mg/l
· •		网络二大木 经发生	·音·罗斯·斯·斯·奇斯····························	THE TREE REPORTS		
Spen	below. (Wight Ministration		The second secon			
Spen	treatability group. To below.	his was	ite must be i	treated at least to the lev	els spe	cified
Spen	treatability group. 1			se waste(s) and mark the ap treated at least to the lev		
Spen	individual constituent treatability group. T	s conta	ined in the	r F005 appear in Section I, se waste(s) and mark the ap treated at least to the lev	propria	te

_F. Wastes for which applicable treatment standards must be listed completely:

NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE

EPA ID NO: KYDO\$3348108

TO: SAFETY-KLEEN CORP

-	NEW CASTLE KY 40050					•	
Gene 268.	rator noted below is shipping to you a was: In accordance with 40 CFR 268.7, the ge	inerator he	reby pro	e restricte	d under 4 ce that the	O CRF	Part
restr	icted and the EPA waste code and the appre	opriate trea	itment s	tandards ar	e as foilo	WS:	
EPA	Waste Codes:				V ₂		
	F001-F005 Spent Solvents			STANDAR			
	Regulated Hazardous Constituent		stewater colvents	All C Solvent		Check That: As	
	Acetone		.05		59	THAT AL	<u>ania</u>
	Benzene		.07	_	.7		•
	n-Butyl alcohol		.0	5	.0	_	•
	Carbon disulfide		.05		.81		1
	Carbon tetrachloride Chlorobenzene	_	.05 .15	_).96).05		•
	Cresois (and crestyle acid)		. 82		. 75		•
	Cyclohexanone		. 125		.75		•
	1.2-Dichlorobenzene	-	. 68	0	. 125	_	
	Ethyl acetate		.05		. 75		
	Ethyl benzene Ethyl ether	-	. 05 . 05	-	.053	<u> </u>	•
-	Isobutanoi		.03 .0		. 75 . 0		
	Methanoi		. 25		.75		
	Methylene chloride		. 2		.96		•
	Methylene chloride(from Pharm, Industry)	_	. 44		. 96		
	Methyl ethyl ketone	-	.05		.75		i
	Methyl isobutyl ketone Nitrobenzene	_	.05 .65		.33		i
	Pyridine	_	. 12		. 125 . 33		•
	Tetrachloroethiyene		.079		.05		•
	Toluene	1	. 12		. 33		
	1, 1, 1 = Trichloroethane		.05	-	.41		,
	1,1,2=Trichloroethane	-	.03		.6		i.
	1,1,2-Trichloro = 1,2,2-trifluoroethane Trichlorethylene		.05 .062		.96		ı
	Trichlorofluoromethane	-	.052		.091 .96		i
	Xylene	-	.05		. 15	X	•
	California List Prohibited Wastes	l evel	(mg/l)	Tee	eatment St	and and	
	Halogenated Organic Compounds	1000			ineration		These treatment star
	Arsenic (As) Nonwastewaters	500	_	No	ne		do not preclude sol
	Mercury (Hg) Nonwastewaters	20		No	19 APR 1 1 1		recovery prior to di
	Nickel (Ni) Thatlium (TI)	134		No	17.75	-	Subsequent disposal
	Chlorinated Biphenyls (PCB's)	130 50	_	No Inc	ne ineration		unrecovered waste in subject to these sta
.	가는 글 보안하는 학문 학문을 하는데 모든 것이다.						
Uescri	intions and/or Treatment Subcategory	and Techn	Standari Ology C	ds Referen	CO IN 40	CFR 38 42(a)	Check All That Apply
Code	Description	Wastewate	ers	Nome	vestewater	<u> </u>	
	Wastewaters (<1.0 wt% TOC and TSS)	268.42(4)	DEACT	NA			
	Low TOC Ignitable Liquids (<10 wt% TOC)	NA		268.	42(a) DEA	CT	
	High TOC Ignitable Liquids (>10 wt% TOC) Corrosives, all subcategories & CA list	268.42W	DEACT	258.	42(a) ROR(42(a) DEA(35. FSU	18S. or INCIN_X_
1	Arsenic (As)	268.43(4)	DEAC!	268.		·•	Variance until 5-8-9
	Barium (Ba)	268.43(4)		288		:	THIRICS WILL 3-0-3
1	Cadmium (Cd)	268.43(4)		268.			
1	Chromium (Cr)	268.43(4)		268.	41(2)		
	Lead (Pb)	268.43(4)	-	268.			n ga Sasara (1900). Najarah
	Low Mercury Subcategory (<260 ppm Hg) High Mercury Subcategory (>=260 ppm Hg)	260 43(4)		268			Variance until 5-8-9
	Selenium (Se)	268.43(2)		268.	42(a) RMEI 41(a)	~—	Variance until 5-8-9
	Silver (Ag)	268.43(4)	-	268.			
odes	See attachment for supplemental list		-				
Gen	erator Name: MARATHON PETROLEUM CO		8	EPA ID:	IND0064	417430	<u> </u>
Gen	erator Representative Signature:						
V.	e & Title of Representative:	andaryy 1144 T	Augusta Sa				
Nam							

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Land Disposal Restrictions Hottlication Force Characteristic Wastes

This is a two part form, complete copy to the UHWM for shipment to	PUTU CODINE I LOUIS	and back, relain (for	s are) the yellow copy along with	the Benerator copy of the me	nifest, snach the white
Generator/Customer Name					
Address					· ·
EPA I.D	•		zardous Waste No		
Heritage Wastestream No			Manifest No		

In accordance with the Hazardous and Solid Waste Amendments of 1964 (HSWA) of the Resource Conservation and Recovery Act which restricts the land disposal of hazardous wastes, we are notifying HERITAGE by marking the appropriate box(es) that indicate the Hazardous Waste number, Subcategory, Treatability Group, Treatment Standard Reference and Five Letter Treatment Code to comply with the Land Disposal Restrictions contained at 40 CFR Part 268.

	dous Waste lumber	Subcategory		Tity Group	Trestment Standard Reference	Five Letter Treatment Code
			Wastewater	Non-Wastewater	Employee to the	14.00
ם	0000	Acid subcategory	X.	X	268.42	DEACT
0	0005	Alkaline subcategory	X	×	268.42	DEACT
0	D005	Other (corrosives)	×	X	268.42	DEACT
0	D003	Reactive cyanides (T&A)	×	×	268.41, 268.43	W
0	0003	Reactive sulfides	X	×	268.42	DEACT
0	0003	Water Reactive	X	NA	268.42	DEACT
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0	D009	(<260 mg/kg Total Hg)	X	x¹	268.41, 268.43	NA.
0	D010	NA NA	X	×	268.41, 268.43	NA.
0	D011	NA NA	X	×	268.41, 268.43	NA

FPA granted 2 yr, extension in effective date on N-WW form and inorganic solids debris (\$78/92).

This form continues to the reverse side.

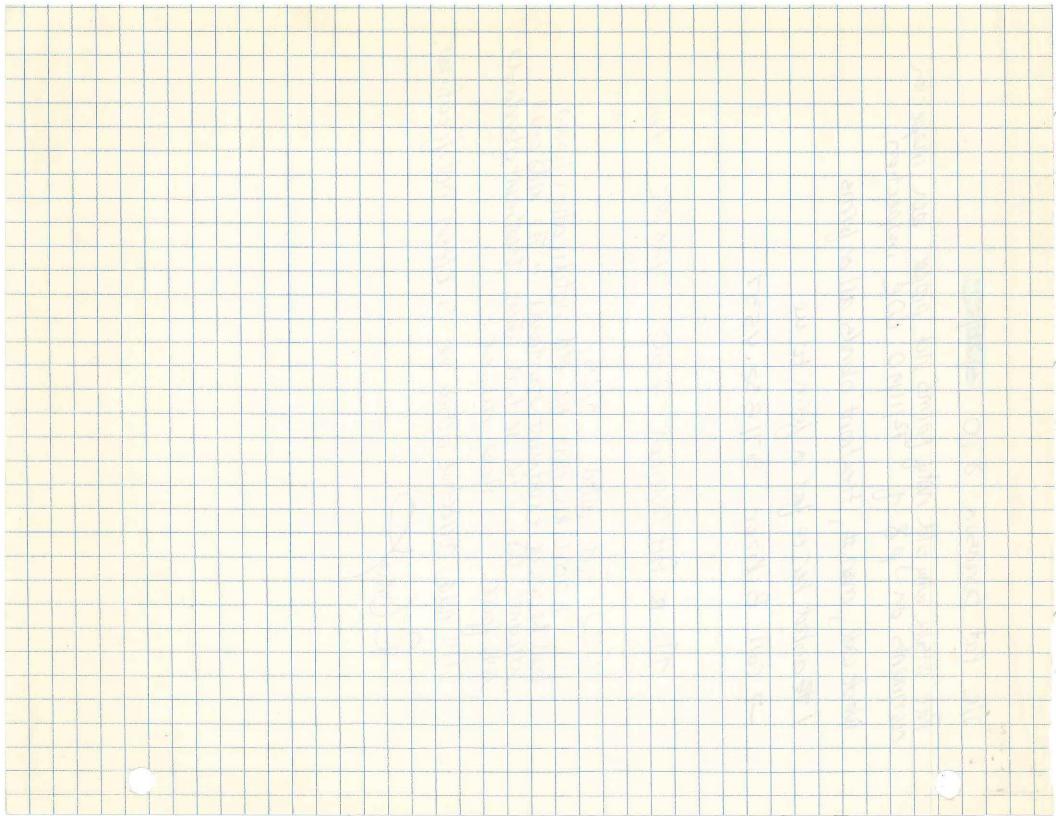


EPA granted 2 yr. extension effective date on inorganic solids debrie (5/8/92)
 Based on EP Toxicity values, TCLP can be used to demonstrate compliance.

⁴ EPA granted 2 yr. extension effective date on inorganic solids debris, and used refractory brick (5/8/92)

fazardous Waste No.		Subcategor	Υ	Treatability	Group	CFR Rate Treatmen	rence L Standarde	Five Letter Code as /	i Trealmer Applicable
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1/c Pat Surenson 8:10 3/25/12 Pat unsure why old noty forms not proper per inspector comments on p8 of 12/11/90 LDE inspection. Waste code, man # treatment stands all on forms I to asked her to fax a form to me. -7 Call B Kizor 317/232.4537 1/4 to Part Sovention 9:50 3/25/92 1:00 Pat auled 3/25 1 Told hu that the old notification forms had be wrong treatment standards. The new ones reference the CER section where treatment standards and found so those are of. Still ned corrective action ve 5 bleen notifications.



LAND DISPOSAL RESTRICTION NOTIFICATION Marathon Petroleum Co., Indiana Refining Division

EPA ID Number: IND006417430

Manifest Number: INA 0436875

Document Number: 02442

Waste Identification: Mixture of KO48, KO49, KO50, KO51 Nonwastewaters

Date Subject to Prohibition: Restricted waste allowed a National

Capacity Variance until November 8, 1990.

Revised BDAT Treatment Standards - Constituent Concentrations in Wasta Extract (TCLP)

Chromium (Total) Nickel

1.7 mg/10.20 mg/l

Revised BDAT Treatment Standards - Constituent Concentration in Waste

Anthracene	28.0	mg/kg	(KO49,	KO51)	K051)	
Benzene Benzo(a)anthracene	20.0	mg/kg	(K051)	450 401	ALC: V. L. J	
Benzo(a)pyrene	12.0	mg/kg	(KO48,	KO49,		K051)
Bis(2-ethylhexyl)phthal	7.3	ing/kg	(KO48,	K048,		
Chrysene	15.0	mg/kg	(KO48,		K051)	
Di-n-butyl phthalate	3.6	mg/kg		K051)	KOS1)	
Ethylbenzene l	42.0	mg/kg	(KO48,			
THE PART OF THE PA	W 34.0	mg/kg	THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.	K049,		
	3 ¥ 3.8	mg/kg	The second name of the second na	K049,		K051)
	5,038.0	mg/kg		K049,		
	4 14.0	mg/kg		K049,	The second secon	
	14 22.0	mg/kg	(K048,			MOVE A V
Cyanides (Total)	12 1.8	mg/kg	(AU40,	K049,	VADA A	K051)

I hereby certify that all information submitted in this and all associated documents is complete and accurate to the best of my knowledge, and information.

Jones and in Pat Sorensen

Environmental Engineer

11-12-90

Signature

Title

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OTIFICATION OF HAZARDOUS WASTE RESTRICTED ROM LAND DISPOSAL

Eyetech Environmental Corporation 243 Serth Valley Bood Essis, Ohio 45385

Lu	go must be completed by	the generator and should	accompany such shipment	of waste subject to land ben xestrictions (49 cmm
AND	a scparate form for	seam lime (lis, lib, lie slow and be were to sign	, lie) on your mentions.	of waste subject to land ben xestrictions (49 CFE Choult the appropriate estagosy(ion) on the table(*)

secretor News: Merathon Petroleum Co., Ind. Ref. Div. max.b. . INP Systems Weste Profite No.: 111111 AA03534-448 ate of Shipment: 10-15-90 KPA Wasto Code KO48, KO49, KO50, KO51, DO18 AMINEST LINE #: (X)11a ()13b ()11a ()11d

INA 0436673

The waster identified on the above mentioned manifest number and bearing the EPA Reservice Meste Sumber(s) identified above or subject to the land disposal restrictions of 40 CFR Fart 268. The waster do not meet the trainment standards specified in 40 CFR 268 rubpart D or the prohibitions specified in 40 CFR 268 32 or MURA Section 2004 (d). In seasolimes with the notification requirements of 40 CFR 188, we are indicating below the applicable subcategory, Tractability Group and Trastment Standard Reference or five feation Code for how the waste quat be trasted.

FOOL to FOOS Solvent Wester

Sexardous Maste Description	Constituents of Concern	Hom-Mastewater Total Composition, mg/kg	PCLP, ms/L		Whatemator, Total Composition, reg/L	TCLP,	
		CCM1	COMME		CON-F	скые 2	
FOOI - Spent maingounted solvents as wd in degreesing	Carbon tetrachloride Methylese chloride Tetrachlorosthylene 1,1,2-trichlorosthene frishlorosthylene 1,1,2-Trichloro-1,2,2- trifluorethene Trichlorofluo: methene		8,86 6,86 6,63 8,41 6,661 6,88			0.05 0.20 0.079 1.05 0.068 1.05	
7001-Spent helogwoated solvents	Chlorobenesse 1.2-Dichlorobenesse bisthylens chloride (from the minomer switcal industry) Tetrachlorosthylens 1.1.1-Trichlorosthems 1.1.2-Trichlorosthems 1.1.2-Trichlorosthems Trichlorosthems Trichlorosthems Trichlorosthems	7.5	0.05 0.125 0.65 0.41 .985 0.98	Anticology Market Street Anticology An	.44 @.Q30	0,13 ,65 0,26 0,27 0,07 1,05 0,062 1,05 0,05	
F003-Spent nombalogemeted solvents	Acatoms n-Rutyl alentol Cyslohezenone Ethyl sobate Ethyl betane Ethyl scher Mathemol Methyl teobatyl ketome Kyleme		0.58 3.0 0.75 0.75 0.859 0.75 0.75 0.75	STREET CONTROL OF THE PROPERTY	and the second s	0.05 3.0 0.125 0.03 0.05 0.05 0.05 0.05	
Y004-Spect nombalogemated solvents	Cresols (sed cresylic soid) Sitrobensens		0.758 8.385	-		2.82	=
F005-Spent mombalogsusted solvents	Sensese Carbon disulfide 1-Ethoxyethesol	2.7 Incineration	4,81		0.070 Biological degradation of incineration	1.03	
	Isobutepol Heskyl athyl betone 2-Witropropens	Incineration	3.0 0.75		(Not exidation or aborded by carbon advergion or inchestion	5.0	Service of
	Fyridine Tolumo		0.33 6.33	married to the same of the sam	Anny Mark Court Ann	1.12	-

II California List Mastes

⁾ PCS: >30 pps (incineration). Liquid hazardous wastes that contain belogenated organic compounds (SOC's) in total communication or - or - to 1,000 mg/1 liquids or 1,000 mg/kg (monliquids). (INCISERATION) (SOC's found in 288.32 Appendix III.

ses attached).
() Nickel (liquid waste) >134 ppm.
() Thallium (liquid waste) >130 ppm.

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(II. Additional Eagerdous Characteristics

() No additional Secardows Characteristics are exhibited by this waste which would require treatment beyond the standards

described above. (W-Frentment Standards for the additional Samurdous Characteristics requiring treatment are indicated below.

TREATHERY STARMARDS FOR ADDITIONAL MALARDONS WASTE CHARACTERISTIC TREATHERY STARMARDS (40 CPR 268)
Check may applicable subset-months.

		HOPHASTERATER		MANUFACTED AND THE STREET	
Masardous Weste Subcatagozina	Committeents of Concern		TCLF mg/L	Total Composition	
Bigh - TOC Depondstowester		THOTH, PEUNS, NOMOR	Hartor with live and the charton	雅. 鱼.	
(*10% TOC) 0001 - Ignitable liquids (low TOC nonwestewater 1% TOC <10%)		DEATE		#.A.	
0001 - Igniteble Liquids		W.A.		DRACY	
DOOL - Ignituble compressed .		DEACT		H.A.	
D001 - Ignitable reactives D001 - Oxid men D002 - Acid' opromives D002 - Alkeline opromives D002 - Other opromives D004 - Aresio	Aresons	DEACT DEACT DEACT DEACT DEACT		N.A. DEACT DHACT DHACT DHACT DHACT	
D005 - Earling D005 - Cadmiles D007 - Chrossiss D008 - Lend	Sarium Cadmium Chromium (total) Lead	*	100 1 5	104	
0009 - Low mercury (% 20 ms/hs total Na)	Hercary		0.2	0.2	
0008 - High meroury (* eg = 200 mg/kg total 8g) 0010 - Selentim 0011 - Stives	Maroury w/organics Maroury w/inorganics Selenium Selenium	THEMO, SHEELD HERENC	5.7	2	
D012 * Endris D010 - Lindese D014 * Nethoxychlor D015 - Texaphene D015 - 2,4-D D017 * 2,4-5-8ilver	Endrin Linders Verborychlor Toraphune 2,4-5 2,4-5-TF	0.13 0.068 0.18 1.3 10		THOIR, BLOOD INCID, CARBU INCID, WAYOR INCID, BLOOD INCID, CHEAD, BLOOD INCID, CHEAD, BLOOD	

Abbreviations of technology codes from 40 CFR 284.42:

INCIS (Incineration)
FRIMS (Fool substitution)
ACROS (Recovery of organics)
Delki (Resting/retorting of organics)
Buyld (Incineration followed by reasting/retorting of ask) UEACT (Descrivation to remove the characteristic) RTHMS: (Thormal recovery)
RLHAD (Thormal recovery of load in secondary smalters) AMEGN (Asselgemention) BICOS (Rissegradation) CANAS (Carbon adsorption) CANAS (Chemical Oxidation)

WETCH (Wer sir oxidation)

Table 2: 1. List all U.S. EFA basardone waste codes requiring treatment beyond the standards described in Sections 1. II. and Table A. For each weste code: 2. Identity the appropriate line & from the manifest Section 21; 3. List the corresponding subschagory, check none if there is to subcaseagery; 4. Complete the treatment standards section by planting a sheckness in the appropriate performance-based column or write the appropriate code in the specific technology salmam (listed above) and 3. Fince a checkness in the column that applies to this waste.

1. U.S. EPA Basardous Waste Code (s)	I. Namifest Line & Section 11	3. Subscituge Description	Some	Perform Equad 266.41(a)		Toolsealless Toolsealless 280,42	Plantag 9	mush-er
K048	a		1 X		X			1 X
K049	a	- STREET, STREET	1 x	X	X			1 %
K050	В	Managerine and Company of the Compan	X	X	X			1 X
K051			1 x	X 1	X			1 X
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ACM - Constituent concentrations in wastes. 2008 - Constituent concentrations in wasts extract,

Certification

ereby certify that all information submitted in this and all associated documents is complete and associate to the heat of my

Company Name	Marath	on Petrole	um Co.,	Indiana	Refining	Division
Acceptant and M		1/4-1		Deser	19.11.90	

9,100

MARATHON FAX COVER LETTE	MA	RATH	ON FA	X COV	ER L	ETTE
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DATE
DEPARTMENT
PLEASE DELIVER THE FOLLOWING PAGES TO:
Nume Rebecca Growlx
Company/Film 1) SEPA IN/MN/OH Enf. Prog. Seit.
City & State CALLAGO
Fax Number Arms Code (3/2) - 353-47885
FROM: Pat Sovenser
Marathon Oil Co. 5000 W. 86th Street
WE ARE TRANSMITTING PAGES IF TRANSMISSION IS NOT COMPLETE, (INCLUDING THIS COVER PAGE) PLEASE CALL: 317-872 3200 C. PLEASE CHECK IF MATERIAL IS TO BE RETURNED TO YOU ASTED TRANSMITTING PAGES IF TRANSMISSION IS NOT COMPLETE, PLEASE CALL: 317-872 3200
Comments: (1) Copy of type of form used before 14/1/90. (2 pages) (2 pages)
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FEB 1 9 1992

HRE-8J

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Pat Sorenson Environmental Manager Marathon Petroleum Company P.O. Box 68007 5000 West 86th Street Indianapolis, Indiana 46268

Re: Notice of Violation (NOV)
Marathon Petroleum
Company
IND 000 641 730

006 417 430

Dear Ms. Sorenson:

On December 11 and December 12, 1990, the Indiana Department of Environmental Management (IDEM), representing the United States Environmental Protection Agency (U.S. EPA), conducted a Resource Conservation and Recovery Act (RCRA) inspection of the above referenced facility. The purpose of the inspection was to determine the compliance status of this facility with respect to the applicable hazardous waste management requirements of Title 329 of the Indiana Administrative Code, and also the land disposal restriction regulations as set forth in 40 CFR Part 268 and in revisions to 40 CFR Parts 260-265, 268, 270, and 271.

As a result of the inspection, we have determined that the requirements of the land disposal restriction regulations are being violated.

The facility was shipping restricted waste without attendant or complete notifications, as required under 40 CFR Part 268.7. Under Part 268.7(a)(1), generators who manage restricted wastes which exceed treatment standards (reference 40 CFR Part 268, Subpart D - Treatment Standards) are required to provide a notification for each shipment of waste. The notification must contain the following information: EPA hazardous waste number; applicable treatment standard; manifest number; and waste analysis data, where available.

Also, under 40 CFR Part 268.7(a)(6), the facility must retain on-site a copy of all notifications produced pursuant to Part 268.7, for at least 5 years from the date that the waste was last sent off-site. The facility is responsible for obtaining from the receiver of the waste a copy of all notifications previously sent pursuant to Part 268.7, for all applicable restricted waste shipments. These notifications and all subsequent ones must

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be kept on file at the generating facility. Please include in your response to this NOV, an example of the notification you will supply with each waste shipment and will keep on file at your facility.

A copy of the inspection report is enclosed for your records. Please submit to this office, within 30 days of receipt of this NOV, documentation as specified above demonstrating that the violation(s) have been corrected and indicating what measures have been initiated to assure future compliance. Failure to correct the violation(s) may subject the facility to further enforcement action.

If you have any questions regarding this correspondence, please contact Rebecca Groulx of my staff at (312) 886 4437.

Sincerely yours,

Uylaine E. McMahan, Chief IN/MN/OH Enforcement Program Section

Enclosure

cc: Dennis Zawodni, IDEM

bcc: Uylaine McMahan, REB

READING FILE COPY - BRANCH

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street P.O. Box 6015 Indianapolis 46206-6015 Telephone 317/232-8603

VIA CERTIFIED MAIL P 124 438 184

September 19, 1991

Ms. Patricia B. Sorensen, Environmental Engineer Marathon Petroleum Company 5000 West 86th Street Indianapolis, Indiana 46268-0007

Re: Letter of Inadequacy (VL-10651)
Hazardous Waste Management
Marathon Petroleum Company
EPA I.D. No. IND 006417430
Indianapolis, Marion County

Dear Ms. Sorensen:

This will acknowledge the receipt of information from Marathon Petroleum Company on May 20, 1991. This information was submitted in response to our Violation Letter dated April 5, 1991, regarding your firm's compliance with Indiana Code 13-7, the Indiana Environmental Management Act, and Indiana Administrative Code, 329 IAC 3, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements."

Staff has reviewed the information submitted and determined that your response is not sufficient to determine if compliance with hazardous waste management requirements under 329 IAC 3 have been met. Please submit additional information as listed below:

- 1. Document and submit your current practice for the accumulation of K-listed wastes.
- 2. Document and submit what tank or container is currently being utilized since the removal of the 18,000-gallon tank which held K-listed wastes.
- 3. Document and submit the depth of the contaminated soil removal, and the method of disposal.

Your response must be revised or supplemented as necessary to address these deficiencies and be submitted to this office within fifteen (15) days.



Ms. Patricia B. Sorensen -2-

If you fail to respond fully and adequately within the time specified and document your facility's return to compliance, a formal Notice of Violation will be issued to compel compliance.

If you have any questions regarding this matter, please contact Ms. Melinda S. Wood of this office at AC 317/232-7203.

Yery truly yours,

Dennis M. Zawodni, Chief

Enforcement Section

Hazardous Waste Management Branch Solid and Hazardous Waste Management

MSW/rmw

cc: Marion County Health Department
Ms. Uylaine McMahan, U.S. EPA, Region V



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

RECEIVE

105 South Meridian Street P.O. Box 6015 Indianapolis 46206-6015 Telephone 317/232-8603

April 5, 1991

VIA CERTIFIED MAIL P 404 637 910

OFFICE OF RCRA
Waste Management Division
U.S. EPA, REGION V

Ms. Pat Sorensen Marathon Petroleum Company 5000 West 86th Street Indianapolis, Indiana 46268-0007

Re: Violation Letter (VL-10651)
Hazardous Waste Management
Scheduled Compliance Evaluation Inspection
Marathon Petroleum Company
EPA I.D. No. IND 006417430
Indianapolis, Marion County

Dear Ms. Sorensen:

Representatives of the Department of Environmental Management (Department) are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. Facilities are being inspected to determine compliance with Indiana Code 13-7 (IC 13-7), "Environmental Management Act," and Indiana Administrative Code, 329 IAC 3, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements." These inspections and record reviews are also being conducted pursuant to the requirements of the Resource Conservation and Recovery Act (RCRA), Public Law 94-580, as amended, for authorized state hazardous waste management programs.

This is to inform you that on December 11 and 12, 1990, an inspection of Marathon Petroleum Company (MPC), located at 5000 West 86th Street, Indianapolis, Indiana, was conducted by Mr. D. Bruce Kizer of the Office of Solid and Hazardous Waste Management (OSHWM), of the Department. Mr. Ed Spoelker and yourself represented your firm at this inspection. A copy of the inspection report is enclosed.

The following violations of 329 IAC 3 pertaining to the operation of your facility were noted:

1. 329 IAC 3-9-5 referencing 329 IAC 3-16-6

Hazardous waste containers were not inspected on a weekly basis as required by 329 IAC 3-23-5. Inspection of paint waste containers at accumulation areas are not conducted.

2.	329 IAC 3-9-5 referencing 329 IAC 3-24-4	The required inspections of tanks used to store hazardous waste were not conducted. Daily inspections for the K-listed wastes in the 18,000-gallon accumulation tank are not being conducted.
3.	329 IAC 3-9-5 referencing 329 IAC 3-16-7	Personnel had not received the required training. Training not provided for all persons listed as emergency coordinator, and contractor employees for paint waste management (lark painting).
4.	329 IAC 3-9-5 referencing 329 IAC 3-16-7	Personnel training records did not include job titles, job descriptions, and record of training for personnel listed in number 3. above, and contractor employees of North American Construction Company.
5.	329 IAC 3-9-5 referencing 329 IAC 3-18-3	The contingency plan did not include a list of all emergency equipment, location of the equipment, physical description of each item on the list, and a brief outline of equipment capabilities. Contingency plan lacked the location of emergency personnel safety equipment.
6.	329 IAC 3-9-5 referencing 329 IAC 3-23-4	Hazardous waste containers were not properly closed during accumulation. One (1) 55-gallon drum of paint waste was not stored closed to prevent leaks.
7.	329 IAC 3-9-5	The start of accumulation period was not clearly marked on each container of hazardous waste. Two (2) 55-gallon drums of paint waste lacked the start of accumulation date.
8.	329 IAC 3-9-5	Hazardous waste was stored by generator for more than ninety (90) days. This refers to one (1) 55-gallon drum of paint wastes.
9.	329 IAC 3-9-5	Hazardous waste containers were not properly marked with the words "Hazardous Waste." This refers to the drum of paint wastes cited in number 8. above.
10.	329 IAC 3-23-2	Hazardous waste containers were not in good condition. Two (2) containers of K052 were located in standing water on the cement pad. The containers were visibly rusted around the bottom.

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- 11. 329 IAC 3-24-5 The 18,000-gallon accumulation tank lacked overfill prevention controls.
- 12. 329 TAC 3-24-3 Lack of a new tank integrity assessment for the 18,000-gallon accumulation tank. Since this tank was first placed on October 15, 1990, it is a new tank. MPC has failed to meet the requirements of 3-24-3 for written assessment, installation, inspection and tightness test.
- 13. 329 IAC 3-24-4 Lack of secondary containment for the 18,000-gallon accumulation tank.
- 14. 329 IAC 3-7-2 The generator has not determined if waste is hazardous. No waste determination has been made for the oil spillage around the accelerator tank near the west API separator.

Marathon Petroleum Company, within thirty (30) calendar days of receipt of this letter, shall achieve compliance with the following requirements:

- 1. Inspect all hazardous waste containers at least once a week.
- 2. Inspect hazardous waste storage tanks as required by 329 IAC 3-24-4.
- 3. Provide a training program as described in 329 IAC 3-16-7 for all personnel involved in hazardous waste management.
- 4. Revise personnel training records to include job titles, job descriptions, and a description of personnel training. Submit a copy to this office.
- 5. Revise your contingency plan to include a list of all emergency equipment, location of the equipment, physical description of each item on the list, and a brief outline of equipment capabilities. Submit a copy of your revised plan to this office.
- 6. Accumulate all hazardous waste in containers that are properly closed.
- 7. Mark the start of the accumulation period on each container of hazardous waste.
- 8. Ensure transportation of the hazardous waste to a permitted facility by a person who has notified the United States Environmental Protection Agency as a hazardous waste transporter. All future hazardous waste generated by your company must not be stored for more than ninety (90) days.

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- 9. Mark each container used to accumulate hazardous waste with the words "Hazardous Waste."
- 10. Maintain hazardous waste containers in good condition.
- 11. Install overfill prevention controls for the 18,000-gallon accumulation tank.
- 12. Submit a new tank integrity assessment for the 18,000-gallon accumulation tank pursuant to 329 IAC 3-24-3.
- 13. Provide secondary containment for the 18,000-gallon accumulation tank pursuant to 329 IAC 3-24-4.
- 14. Clean up all visible contamination in the area of the accelerator tank, properly containerize all materials, and make a waste determination on said material for proper disposal.

Your company shall submit to this office, within thirty-five (35) calendar days of receipt of this letter, a written detailed explanation of the steps taken to achieve compliance with each requirement. The letter shall state the date compliance was achieved.

Failure to respond adequately to this Violation Letter and verify a return to compliance at this facility will result in escalated enforcement action.

Please direct your response to this letter and any questions to Mr. Michael E. Sickels of the Office of Solid and Hazardous Waste Management, of the Department, AC 317/232-3406.

Sincerely,

W. Martin Harmless II Assistant Commissioner

Solid and Hazardous Waste Management

MES/rmw

Enclosure

cc: Marion County Health Department
Ms. Ann Budich, U.S. EPA, Region V
Mr. D. Bruce Kizer

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P.O. Box 68007 Indianapolis, Indiana 46268-0007 Telephone 317/872-3200



June 11, 1990

CERTIFIED P 097 682 501 RETURN RECEIPT REQUESTED

U.S. EPA, Region 5 OFFICE OF RCRA Waste Management DivisioRPA, REGION V Attn: Rick Hersemann RCRA Enforcement Branch, 5HR-12 230 South Dearborn Street Chicago, IL 60604

Re: Consent Agreement and Final Order Rock Island Refining Corporation, Inc. 006 417 430

Dear Mr. Hersemann:

On May 14, 1990, the Indiana Refining Division of Marathon Petroleum Company (Marathon) and the U.S. Environmental Protection Agency entered into a Consent Agreement and Final Order (CAFO) concerning the former Rock Island Refining Corporation. The CAFO was issued to resolve the Amended Complaint and Compliance Order issued by the U.S. EPA on the same date.

Paragraph F of the CAFO requires Marathon's notification and certification that compliance was achieved with various CAFO provisions. The following responses pursuant to Paragraph F of the CAFO are provided:

- Paragraph A Marathon ceased the placement of waste and/or other materials on the area designated as Goat Hill in Attachment A of the Final Order.
- 2. Paragraph B An internal compliance audit was conducted by William Laque, Environmental Manager, and Patricia Sorensen, Environmental Engineer, to verify that the Indiana Refining Division achieved compliance with the standards applicable to generators of hazardous waste. Further, a compliance audit was performed by an outside consultant, Atec and Associates, to verify compliance with hazardous waste generator standards.
- 3. Paragraph C A clean closure plan was presented to the Indianapolis Department of Environmental Management (IDEM) on June 6, 1990. The plan provides for the removal of contaminated material.

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- 4. Paragraph D Marathon provided a demonstration of financial assurance and liability insurance for the Goat Hill closure in a letter dated March 22, 1990 to Jeff Stevens of the IDEM. A copy of the March 22nd letter is enclosed.
- 5. Paragraph E A check in the amount of fifty-four thousand dollars (\$54,000) was mailed to the U.S. EPA on May 30, 1990.

Further, pursuant to Paragraph F, I certify that the information provided with this notification is true, accurate and complete.

The notification provided with this letter was prepared with the assistance of legal counsel. Should you have any questions, please contact me or Ronald L. Andes (Marathon counsel) at (419) 422-2121 ext. 4125.

Sincerely,

J.L. Atkins Division Manager

RLA:JLA:gt Enclosure

c: Thomas Linson Indiana Dept. of Environmental Mgmt. 105 S. Meridian St. Indianapolis, IN 46240-6015

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March 22, 1990

ATTN: Mr. Jeff Stevens Office of Solid & Hazardous Waste Management Indiana Department of Environmental Management 105 South Meridian Street P.O. Box 6015 Indianapolis, IN 46206-6015

Dear Mr. Stevens:

I am the treasurer of Marathon Oil Company; 539 South Main Street; Findlay, Ohio 45840. This letter is in support of the use of the financial test to demonstrate financial responsibility for liability coverage and closure and/or post-closure care, as specified in 329 IAC 3-22 and 329 IAC 3-47.

The firm identified above is the owner or operator of the following facilities for which liability coverage for both sudden and nonsudden accidental occurrences is being demonstrated through the financial test specified in 329 IAC 3-22 and 329 IAC 3-47.

The firm identified above guarantees, through the corporate guarantee specified in 329 IAC 3-22 and 329 IAC 3-47, liability coverage for both sudden and nonsudden accidental occurrences at the following facilities owned or operated by the following subsidiaries of the firm: See Attachment A.

- 1. This firm is the owner or operator of the following facilities for which financial assurance for closure or post-closure care is demonstrated through the financial test specified in 329 IAC 3-22 and 329 IAC 3-47. The current closure and/or post-closure cost estimates covered by the test are shown for each facility: None.
- 2. This firm guarantees, through the corporate guarantee specified in 329 IAC 3-22 and 329 IAC 3-47, the closure or post-closure care of the following facilities owned or operated by subsidiaries of this firm. The current cost estimates for the closure or post-closure care so guaranteed are shown for each facility: See Attachment B.

- 3. This firm, as owner or operator or guarantor, is demonstrating financial assurance for the closure or post-closure care of the following facilities through the use of a test equivalent to or substantially equivalent to the financial test specified in 329 IAC 3-22 and 329 IAC 3-47. The current closure and/or post-closure cost estimates covered by such a test are shown for each facility: See Attachment B.
- 4. This firm is the owner or operator of the following hazardous waste management facilities for which financial assurance for closure or, if a disposal facility, post-closure care, is not demonstrated either to EPA or a State through the financial test or any other financial assurance mechanism specified in Subpart H or 40 CFR Parts 264 and 265 or equivalent or substantially equivalent State mechanisms. The current closure and/or post-closure cost estimates not covered by such financial assurance are shown for each facility: None.

This firm is not required to file a Form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The fiscal year of this firm ends on December 31. The figures for the following items marked with an asterisk are derived from this firm's independently audited, year-end financial statements for the latest completed fiscal year, ended December 31, 1989.

ALTERNATIVE II

1.	Sum of current closure and post-closure cost estimate	s: <u>\$13</u>	,44/,055
2.	Amount of annual aggregate liability coverage to be demonstrated:	<u>\$ 8</u>	,000,000
3.	Sum of lines 1 and 2:	\$21	,447,055
4.	Current bond rating of most recent issuance and name of rating service:	Baa	-Moody's
5.	Date of issuance of bond:	<u>March</u>	1, 1987
6.	Date of maturity of bond:	March	1, 1994
* 7.	Tangible net worth:	\$3,487	,000,000
* 8.	Total assets in U.S.:	\$7,082	,000,000
		YES	NO
· 9.	Is line 7 at least \$10 million?	<u> </u>	
10.	Is line 7 at least 6 times line 3?	<u> X</u>	<u> </u>
*11.	Are at least 90% of assets located in the U.S.? If not, complete line 12.		<u> </u>
12.	Is line 8 at least 6 times line 3?	<u>X</u>	

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I hereby certify that the wording of this letter is identical to the wording specified in 329 IAC 3-22-32 as such regulations were constituted on the date shown immediately below.

Signed: L. H. Stone

Treasurer, Marathon Oil Company

Date:

March 22, 1990

Attachment A

USEPA I.D. No. LAD 081999724

Name: Marathon Petroleum Company; Garyville, LA Refinery

Address: R. No. 61; Garyville, LA 70051

USEPA I.D. No. IDL 0005476882

Name: Marathon Petroleum Company; Robinson, IL Refinery Address: Refinery Office Building; Robinson, IL 62454

USEPA I.D. No. GD-095-0981

Name: Marathon Petroleum Company; Garyville, LA Refinery

Address: R. No. 61; Garyville, LA 70051

USEPA I.D. No. TXD 008079501

Name: Marathon Petroleum Company; Texas City, TX Refinery Address: 1320 Loop 197 South; Texas City, TX 77592-1191

USEPA I.D. No. IND006417430 *

Name: Rock Island Refining Corp.; Indianapolis, IN Refinery

Address: 5000 West 86 Street; Indianapolis, IN 46268

^{*} Marathon Oil Company is currently in the process of resolving a dispute with the United States Environmental Protection Agency concerning the status of the Rock Island Refinery. However, Marathon Oil Company is doing a protective filing with the state of Indiana in order to comply with the Resource Conservation and Recovery Act.

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Attachment B

		Closure <u>Amount</u>	Post-Closure Amount	Total
2.	USEPA 1.D. No. IND006417430 Name: Rock Island Refining Corp.; Indianapolis, IN Refiner Address: 5000 West 86 Street; Indianapolis, IN 46268	\$3,000,000 Y	\$0	\$3,000,000 *
3.	USEPA I.D. No. LAD 081999724 Name: Marathon Petroleum Company; Garyville, LA Refinery Address: R. No. 61; Garyville, LA 70051	\$1,186,683	\$1,384,831	\$2,571,514
	USEPA I.D. No. IDL 0005476882 Name: Marathon Petroleum Company; Robinson, IL Refinery Address: Refinery Office Building; Robinson, IL 62454	\$1,685,710	\$2,281,478	\$3,967,188
	USEPA I.D. No. GD-095-0981 Name: Marathon Petroleum Company; Garyville, LA Refinery Address: R. No. 61; Garyville, LA 70051	\$3,826,983	\$0	\$3,826,983
	USEPA I.D. No. TXD 008079501 Name: Marathon Petroleum Company; Texas City, TX Refine Address: 1320 Loop 197 South; Texas City, TX 77592-1191	\$ 81,370 ry	\$0	\$ 81,370

^{*} Marathon Oil Company is currently in the process of resolving a dispute with the United States Environmental Protection Agency concerning the status of the Rock Island Refinery. However, Marathon Oil Company is doing a protective filing with the state of Indiana in order to comply with the Resource Conservation and Recovery Act.

CERTIFICATION

I, W. J. Boney, Assistant Secretary of Marathon Oil Company, an Ohio corporation, hereby certify that the following is a true and correct copy of a resolution unanimously adopted by the Executive Committee of Marathon Oil Company at a meeting held in San Francisco, California on November 14, 1989 at which meeting all the members of the Committee were present:

"RESOLVED: That the Controller and the Treasurer of the Company are each hereby authorized in the ordinary course of business of the Company to enter into transactions pertaining to the business of the Company or to the acquisition, development, care, operation, management, sale, lease or other disposition of property of the Company consistent with the fiscal controls and authorities established by the Senior Vice President of Finance and Administration and upon such terms and conditions as the Controller or Treasurer may deem advisable, and to execute and deliver any and all written instruments in connection with any such transaction, including but not limited to contracts, deeds and other instruments of

This is to further certify that the foregoing resolution is still in full force and effect on this 21st day of March, 1990 and that L. H. Stone was elected Treasurer of this Corporation on April 1, 1986 and W. J. Boney was elected Assistant Secretary of this Corporation on January 24, 1986 and both are still serving in such office on this date.

thereto."

conveyance, and any bids, applications, notices, permits, reports or other documents relating

IN WITNESS WHEREOF, I have hereunto affixed my signature and the seal of the Company, this 21st day of March, 1990.

Assistant Secretary Marathon Oil Company

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CORPORATE GUARANTEE FOR LIABILITY COVERAGE

Guarantee made this January 16, 1990 by Marathon Oil Company, a business corporation organized under the laws of the State of Ohio, herein referred to as guarantor, on behalf of our subsidiary Marathon Petroleum Company of 539 South Main Street; Findlay, Ohio 45840, to any and all third parties who have sustained or may sustain bodily injury or property damage caused by sudden and/or nonsudden accidental occurrences arising from operation of the facility(ies) covered by this guarantee.

Recitals

- 1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in 329 IAC 3-47-8(g) and 329 IAC 3-22-24(g).
- 2. Marathon Petroleum Company owns or operates the following hazardous waste management facility(ies) covered by this guarantee: <u>See attached</u>. This corporate guarantee satisfies third-party liability requirements for hazardous waste under IAC 13-7 for both sudden and nonsudden accidental occurrences in above-named owner or operator facilities for eight million dollars of coverage.
- 3. For value received from Marathon Petroleum Company, guarantor guarantees to any and all third parties who have sustained or may sustain bodily injury or property damage caused by sudden and/or nonsudden accidental occurrences arising from operations of the facility(ies) covered by this guarantee that in the event that Marathon Petroleum Company fails to satisfy a judgment or award based on a determination of liability for bodily injury or property damage caused by sudden or nonsudden accidental occurrences, arising from the operation of the above-named facilities, or fails to pay an amount agreed to in settlement of a claim arising from or alleged to arise from such injury or damage, the guarantor will satisfy such judgment(s), award(s), or settlement agreement(s) up to the limits of coverage identified above.
- 4. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to the commissioner and to Marathon Petroleum Company that he intends to provide alternate liability coverage as specified in 329 IAC 3-47-8 and 329 IAC 3-22-24, as applicable, in the name of Marathon Petroleum Company. Within one hundred twenty (120) days after the end of such fiscal year, the guarantor shall establish such liability coverage unless Marathon Petroleum Company has done so.
- 5. The guarantor agrees to notify the Commissioner by certified mail of a voluntary or involuntary proceeding under Title II (Bankruptcy), U.S. Code, naming guarantee as debtor, within ten (10) days after commencement of the proceeding.

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- 6. Guarantor agrees that within thirty (30) days after being notified by the commissioner of a determination that guarantor no longer meets the financial test criteria or that he is disallowed from continuing as a guarantor, he shall establish alternate financial assurance as specified in 329 IAC 3-47-8 or 329 IAC 3-22-24 in the name of Marathon Petroleum Company, unless Marathon Petroleum Company has done so.
- 7. Guarantor reserves the right to modify this agreement to take into account amendment of modification of the liability requirements set by 329 IAC 3-47-8 or 329 IAC 3-22-24, provided such modification shall become effective only if the commissioner does not disapprove the modification within thirty (30) days of receipt of notification of the modification.
- 8. Guarantor agrees to remain bound under this guarantee for so long as Marathon Petroleum Company must comply with the applicable requirements of 329 IAC 3-47-8 or 329 IAC 3-22-24 for the above-listed facility(ies), except as provided in paragraph 9 of this agreement.
- 9. Guarantor may terminate this guarantee by sending notice by certified mail to the commissioner and to Marathon Petroleum Company, provided that this guarantee may not be terminated unless and until Marathon Petroleum Company obtains, and the commissioner approve(s), alternate liability coverage complying with 329 IAC 3-47-8 and/or 329 IAC 3-22-24.
- 10. Guarantor hereby expressly waives notice of acceptance of this guarantee by any party.

I hereby certify that the wording of this guarantee is identical to the wording specified in 329 IAC 3-22-34.

Effective date: March 22, 1990	
Marathon Oil Company	ORIVE 1
Signed: L. H. Stone Treasurer, Marathon Oil Company	Sec.
Thus sworn and signed before me on this the	2. day of March, 19 90.
Signature of witness or notary: Lung 2.	uninams

GERRY L. WILLIAMS
Notary Public, State of Onio
My Commission Expires Oct. 30, 1994

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	Closure <u>Amount</u>	Post-Closure Amount	lotal
2. USEPA I.D. No. IND006417430 Name: Rock Island Refining Corp.; Indianapolis, IN R Address: 5000 West 86 Street; Indianapolis, IN 46268	\$3,000,000 Refinery	\$0	\$3,000,000 *

^{*} Marathon Oil Company is currently in the process of resolving a dispute with the United States Environmental Protection Agency concerning the status of the Rock Island Refining. However, Marathon Oil Company is doing a protective filing with the state of Indiana in order to comply with the Resource Conservation and Recovery Act.

CORPORATE GUARANTEE FOR CLOSURE OR POST-CLOSURE CARE

Guarantee made this January 16, 1990 by Marathon Oil Company, a business corporation organized under the laws of the State of Ohio, herein referred to as guarantor, to the Department of Environmental Management of the State of Indiana (DEM), obligee, on behalf of our subsidiary Marathon Petroleum Company of 539 South Main Street; Findlay, Ohio 45840.

Recitals

- 1. Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in 329 IAC 3-22-9 and 329 IAC 3-22-19 or 329 IAC 3-47-4 and 320 IAC 4.1-47-6.
- 2. Marathon Petroleum Company owns or operates the following hazardous waste management facility(ies) covered by this guarantee: See attached.
- 3. "Closure plans" and "post-closure plans" as used below refer to the plans maintained as required by 329 IAC 3-21 and 329 IAC 3-46 for the closure and post-closure care of facilities as identified above.
- 4. For value received from Marathon Petroleum Company, guarantor guarantees to DEM that in the event that Marathon Petroleum Company fails to perform closure and post-closure care of the above facility(ies) in accordance with the closure or post-closure plans and other permit or interim status requirements whenever required to do so, the guarantor shall do so or establish a trust fund as specified in 329 IAC 3-22 and 329 IAC 3-47, as applicable, in the name of Marathon Petroleum Company in the amount of the current closure or post-closure cost estimates as specified in 329 IAC 3-22 and 329 IAC 3-47.
- 5. Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within ninety (90) days, by certified mail, notice to the DEM commissioner and to Marathon Petroleum Company that he intends to provide alternative financial assurance as specified in 329 IAC 3-22 and 329 IAC 3-47, as applicable, in the name of Marathon Petroleum Company. Within one hundred twenty (120) days after the end of such fiscal year, the guarantor shall establish such financial assurance unless Marathon Petroleum Company has done so.
- 6. The guarantor agrees to notify the DEM commissioner by certified mail, of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within ten (10) days after commencement of the proceeding.
- 7. Guarantor agrees that within thirty (30) days after being notified by the DEM commissioner of a determination that guarantor no longer meets the financial test criteria or that he is disallowed from continuing as a guarantor of closure or post-closure care, he shall establish alternate financial assurance as specified in 329 IAC 3-22 and 329 IAC 3-47, as applicable, in the name of Marathon Petroleum Company unless Marathon Petroleum Company has done so.

- 8. Guarantor agrees to remain bound under this guarantee notwithstanding any or all of the following: amendment or modification of the closure or post-closure plan, amendment or modification of the permit, the extension or reduction of the time of performance of closure or post-closure, or any other modification or alteration of an obligation of the owner or operator pursuant to 329 IAC 3-22-15 through 329 IAC 3-32 or 329 IAC 3-40 through 329 IAC 3-54.
- 9. Guarantor agrees to remain bound under this guarantee for so long as Marathon Petroleum Company must comply with the applicable financial assurance requirements of 329 IAC 3-22 and 329 IAC 3-47 for the above-listed facilities, except that guarantor may cancel this guarantee by sending notice by certified mail to the DEM commissioner and to Marathon Petroleum Company, such cancellation to become effective no earlier than one hundred twenty (120) days after receipt of such notice by both the DEM commissioner and Marathon Petroleum Company, as evidenced by the return receipts.
- 10. Guarantor agrees that if Marathon Petroleum Company fails to provide alternate financial assurance as specified in 329 IAC 3-22 and 329 IAC 3-47, as applicable, and obtain written approval of such assurance from the DEM commissioner within ninety (90) days after a notice of cancellation by the guarantor is received by the DEM commissioner from guarantor, guarantor shall provide such alternate financial assurance in the name of Marathon Petroleum Company.
- 11. Guarantor expressly waives notice of acceptance of this guarantee by the DEM commissioner or by Marathon Petroleum Company. Guarantor also expressly waives notice of amendments or modifications of the closure and/or post-closure plan and of amendments or modifications of the facility permit(s).

I hereby certify that the wording of this guarantee is identical to the wording specified in 329 IAC 3-22-33 as such rule was constituted on the date first above written.

Effective date: _	March 22, 1990		
Marathon Oil Comp	any		
Signed:	A Stine	- 600	
L. H. Stone Treasurer, Marath	on Oil Company	295	
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Thus sworn and signed before me on this the 32 day of 70, 19 90.

Levry of Whiliams

GERRY L. WILLIAMS
Notary Public, State of Onio

My Commission Expires Oct. 30, 1994

-	Closure Amount	Post-Closure Amount	lotal
2. USEPA I.D. No. INDOO6417430 Name: Rock Island Refining Corp.; Indianapolis, IN R Address: 5000 West 86 Street; Indianapolis, IN 46268	\$3,000,000 Refinery	\$ 0	\$3,000,000 *

^{*} Marathon Oil Company is currently in the process of resolving a dispute with the United States Environmental Protection Agency concerning the status of the Rock Island Refining. However, Marathon Oil Company is doing a protective filing with the state of Indiana in order to comply with the Resource Conservation and Recovery Act.

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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street P.O. Box 6015 Indianapolis 46206-6015 Telephone 317/232-8603

June 1, 1990

Mr. William E. Laque Environmental Manager Marathon Petroleum Company Refinery - Warehouse A 5000 West 86th Street Indianapolis, IN 46268

Dear Mr. Laque:

Thank you for your letter of April 19, 1990, and an opportunity to comment on your proposed waste management practice for the materials produced by your wastewater treatment system.

Staff concur with your conclusion that the pre-filtered slop oil and the mixture of filter cake and oil (waste mix) qualify as a hazardous waste fuel. This is based on the analysis which indicates that the pre-filtered slop oil and the individual components of the waste mix have a BTU value of greater than 5,000 BTU/lb.

You will be required to comply with 329 IAC 3-57-9 as a marketer of hazardous waste fuel and you should verify that the facility receiving the fuel has the proper permits to store and has notified the U.S. EPA and IDEM they are burners of hazardous waste fuel. As a generator of hazardous waste fuel, you are also subject to the standards for generators of hazardous waste.

If you have any questions, please contact Mr. Tom Linson of this office at AC 317/232-4518.

Very truly yours,

伯. Martin Harmless, II Assistant Commissioner

Solid and Hazardous Waste Management

HMH: BP: ms





File Of

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

IN THE MATTER OF:) DOCKET NO. V-W-88-R-858
ROCK ISLAND REFINING CORPORATION) DAKET NO. V-W-80-K-0340
5000 WEST 86th STREET) FIRST AMENDED COMPLAINT, AND
INDIANAPOLIS, INDIANA 46268) COMPLIANCE ORDER
)
IND 006 417 430)

PREAMBLE

This Amended Complaint and Compliance Order is filed pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act of 1976, as amended (RCRA), 42 U.S.C. §6928(a)(1), and the United States Environmental Protection Agency's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Complainant is the Acting Associate Director, Office of RCRA, Waste Management Division, Region V, United States Environmental Protection Agency (U.S. EPA). The Respondent is Rock Island Refining Corporation, owner and operator of the facility located at 5000 West 86th Street, Indianapolis, Indiana 46268. On December 1, 1989, Marathon Petroleum Company became the successor in interest to Rock Island Refining Corporation.

On September 26, 1988, U.S. EPA issued the original Complaint and Compliance Order in this matter against Respondent. Since that time, additional information obtained by U.S. EPA indicates that some of the violations alleged in the original Complaint did not, in fact, occur. For this reason, U.S. EPA has moved the Presiding Officer to amend the Complaint pursuant to 40 CFR 22.14(d).

This Amended Complaint and Compliance Order is based on information obtained by U.S. EPA, and file reviews and compliance inspections conducted by the



Indiana Department of Environmental Management (IDEM). Based on this information, violations of applicable State and Federal regulations were identified. Pursuant to 42 U.S.C. §6928(a)(1), and based on the information cited above, it has been determined that Respondent is in violation of Subtitle C of RCRA, Sections 3004 and 3005, 42 U.S.C. §6924 and §6925 respectively and the Indiana Administrative Code (IAC), Ind. Rev. Stat. 1985, as amended, and regulations adopted by the Indiana Environmental Management Board, found in 320 IAC 4.1.

JURISDICTION

Jurisdiction for this action is conferred upon U.S. EPA by Sections 2002(a)(1), 3006(b), and 3008 of RCRA, 42 U.S.C. §6912(a)(1), §6926(b), and §6928 respectively.

On August 18, 1982, the State of Indiana was granted Phase I Interim

Authorization by the Administrator of U.S. EPA pursuant to Section 3006(b) of

RCRA, 42 U.S.C. §6926(b), to administer a hazardous waste program in lieu of

the Federal program. See 47 Fed. Reg. 35,970 (1982). On January 31, 1986, the

State of Indiana was granted Final Authorization. See 51 Fed. Reg. 3953. As a

result, facilities in Indiana qualifying for interim status are regulated under

the Indiana provisions found at 320 IAC, 4.1 et seg., rather than the Federal

regulations set forth at 40 CFR Part 265 and 270. Effective June 30, 1988, the

Indiana provisions found at 320 IAC 4.1 were recodified and replaced by 329 IAC

3. See Indiana Register, Volume II, Number 10, July 1, 1988. Sections 3006(b)

and 3008(a) of RCRA, 42 U.S.C. §6926 and §6928(a), respectively, provide that

U.S. EPA may enforce State regulations in those States authorized to administer

a hazardous waste program. Notice to the State pursuant to RCRA Section 3008 (a)(2), 42 U.S.C. §6928(a)(2), has been provided by U.S. EPA.

FINDINGS OF VIOLATION

This determination of violation is based on the following:

- 1. Respondent, Rock Island Refining Corporation, is a person defined by Section 1004(15) of RCRA, 42 U.S.C. §6903(15), and 320 IAC 4.1-1-7, who owns and operates a facility at 5000 West 86th Street, Indianapolis, Indiana 46268, that generates, treats, and stores, hazardous waste. Respondent, Rock Island Refining Corporation, is an Indiana corporation whose registered agent is C.T. Corporation Systems, located at One North Capital Avenue, Indianapolis, Indiana 46268.
- 2. Section 3010(a) of RCRA, 42 U.S.C. §6930(a), requires any person who generates or transports hazardous waste, or owns or operates a facility for the treatment, storage, or disposal of hazardous waste, to notify U.S. EPA of such activity within ninety (90) days of the promulgation of regulations under Section 3001 of RCRA. Section 3010 of RCRA also provides that no hazardous waste subject to regulations may be transported, treated, stored or disposed of unless the required notification has been given.
- 3. U.S. EPA first published regulations concerning the generation, transportation, treatment, storage or disposal of hazardous waste on May 19, 1980. These regulations are codified at 40 CFR Parts 260 through 265. Notification to U.S. EPA of hazardous waste activity was required in most instances no later than August 18, 1980.

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- 4. Section 3005(a) of RCRA requires U.S. EPA to publish regulations requiring each person owning or operating a hazardous waste treatment, storage, or disposal facility to obtain a RCRA permit. Such regulations were published on May 19, 1980, and are codified at 40 CFR Parts 270 and 271 (formerly Parts 122 and 123). The regulations require that persons who treat, store, or dispose of hazardous waste submit Part A of the permit application in most instances no later than November 19, 1980.
- 5. Section 3005(e) of RCRA provides that an owner or operator of a facility shall be treated as having been issued a permit pending final administrative disposition on the permit application provided that: (1) the facility was in existence on November 19, 1980; (2) the requirements of Section 3010(a) of RCRA concerning notification of hazardous waste activity have been complied with; and (3) an application for a permit has been made. This statutory authority to operate is known as interim status. U.S. EPA regulations implementing these provisions are found at 40 CFR Part 270.
- 6. Respondent submitted a timely notification of its hazardous waste activity on July 15, 1980, indicating that the facility generates, treats, stores, or disposes of hazardous waste. Respondent submitted Part A of its application for a RCRA permit on November 18, 1980, for its facility located at 5000 West 86th Street, Indianapolis, Indiana 46268. Respondent's Part A identified hazardous waste management processes as storage in tanks (process code S02), treatment in tanks (process code T01), treatment by incineration (process code T03), and treatment using vacuum filtration (process code T04). Among other

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things, Respondent's Part A described the generation and management of the following hazardous wastes listed at 40 CFR 261.32:

- a. Slop oil emulsion solids from the petroleum refining industry (EPA hazardous waste number KO49). KO49 is treated in tanks.
- b. Heat exchanger bundle cleaning sludge from the petroleum refining industry (EPA hazardous waste number KO5O). KO5O is treated in tanks.
- c. API separator sludge from the petroleum refining industry (EPA hazardous waste number K051). K051 is stored in tanks and treated by vacuum filtration.
- d. Tank bottoms (leaded) from the petroleum refining industry (EPA hazardous waste number K052). Respondent's Part A application did not identify a process code for K052.
- 7. Based on Finding 6, Respondent obtained interim status for the continued operation of its hazardous waste tank storage area, and treatment processes located at 5000 West 86th Street, Indianapolis, Indiana.
- 8. On January 29, 1985, and January 30, 1985, the Indiana State Board of Health (ISBH), now called the Indiana Department of Environmental Management (IDEM), conducted a compliance evaluation inspection of Respondent's facility located at 5000 West 86th Street, Indianapolis, Indiana. Specifically, the following violations were identified during the inspection:
 - a. Failure to include in the personnel training records all facility personnel, job titles, job descriptions, and

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- documentation of training, as required by 320 IAC 4.1-16-7.
- b. Failure to maintain an operating record, as required by 320 IAC 4.1-19-4.
- 9. On April 29, 1986, IDEM conducted a compliance evaluation inspection of Respondent's facility. Specifically, the following violations were identified during the inspection:
 - a. Failure to have interim status or a permit to receive Stoddard Solvent waste from off-site (Aratex and Means Services), as required by 320 IAC 4.1-38-2.
 - b. Failure to include in the personnel training records a description of required introductory and continuing training for each job, as required by 320 IAC 4.1-16-7.
 - c. Failure to include in the operating record the location and quantity of hazardous waste within the facility and the methods and dates of treatment, storage or disposal for hazardous waste, as required by 320 IAC 4.1-19-4.
 - d. Failure to maintain and operate the Oliver storage tank containment area to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, as required by 320 IAC 4.1-17-2.
 - e. Failure of manifests to contain five digit document numbers and generator identification numbers, as required by 320 IAC 4.1-8-1.

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- 10. In a Letter of Warning dated February 10, 1987, IDEM notified Respondent of the following violations:
 - a. Failure to adjust the closure cost estimate for inflation, as required by 320 IAC 4.1-22-3.
 - b. Failure to adjust the post-closure cost estimate for inflation, as required by 320 IAC 4.1-22-13.
 - c. Failure to maintain liability insurance coverage for sudden accidental occurrences, as required by 320 IAC 4.1-22-24.
- 11. On March 19, 1987, IDEM conducted a compliance evaluation inspection of Respondent's facility. Specifically, the following violations were identified during the inspection:
 - a. Failure to include in the inspection schedule freeboard inspections for tanks without dikes, as required by 320 IAC 4.1-24-4.
 - b. Failure to include in the personnel training records all facility personnel, job titles, job descriptions, and documentation of training, as required by 320 IAC 4.1-16-7.
 - c. Failure to address in the contingency plan evacuation of employees, as required by 320 IAC 4.1-18-3.
 - d. Failure to maintain and operate the Oliver storage tank containment area and the oscillator tank to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste consitituents to the air, soil or surface

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water, as required by 320 IAC 4.1-17-2.

- e. Failure to maintain at least two feet of freeboard in the sludge suction pit, as required by 320 IAC 4.1-24-2.
- f. Failure to make a proper hazardous waste determination of fourteen drums of unknown waste found at the "sphere", as required by 320 IAC 4.1-7-2.
- 12. On November 12, 1987, IDEM conducted a compliance evaluation inspection of Respondent's facility. Specifically, the following violations were identified during the inspection:
 - a. Failure to maintain and operate the east API separator to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, as required by 320 IAC 4.1-17-2.
 - b. Failure to include in the job description for the Coordinator of Environmental Affairs manifest preparation duties and failure to maintain descriptions of training and records of training for the Coordinator of Environmental Affairs and all emergency coordinators, as required by 320 IAC 4.1-16-7.
 - c. Failure to include in the contingency plan a brief outline of emergency equipment capabilities, as required by 320 IAC 4.1-18-3.
 - d. Failure to include in manifest numbers 00079 and 00080 the telephone numbers of the designated facility and transporter, and failure to provide the proper hazardous waste code number on

manifest number 49560 to Safety Kleen, as required by 320 IAC 4.1-8-1.

e. Failure to have interim status or a permit to store hazardous waste K049, K050, and K051 (vacuum filter sludge) in waste piles, as required by 320 IAC 4.1-38-2. Respondent refers to the waste pile storage area as "Goat Hill".

AMENDED COMPLIANCE ORDER

Respondent having been initially determined to be in violation of Sections 3004 and 3005 of RCRA, and 320 IAC 4.1 (now 329 IAC 3), the following Amended Compliance Order pursuant to Section 3008(a)(1) of RCRA, 42 U.S.C. §6928 (a)(1), is entered:

- A. Respondent shall immediately cease the placement of any additional hazardous or nonhazardous waste (except in accordance with a closure plan approved pursuant to 329 IAC 3-21-3(d)) into the waste pile storage area known by Respondent as "Goat Hill".
- B. Respondent shall achieve and maintain compliance with the standards applicable to generators of hazardous waste, as required by 329 IAC 3-7 through 329 IAC 3-11.
- C. Respondent shall submit, within fifteen (15) days of this Amended
 Order becoming final, a closure plan and (if necessary) a
 post-closure plan for Goat Hill to IDEM, as required by 329 IAC
 3-21-3(d) and 329 IAC 3-21-9(e). Upon approval of the closure and (if
 necessary) post-closure plans by IDEM, Respondent shall perform all

closure and post-closure activities detailed in the approved plans in accordance with the approved schedules therein. Upon completion of the required closure activities, Respondent shall certify in writing to IDEM that the waste pile storage area has been closed in accordance with the specifications in the approved closure plans. Respondent shall also submit, or cause to have submitted to IDEM, written certification of the same from an independent registered professional engineer.

- D. Respondent shall revise all cost estimates, financial assurance and liability insurance mechanisms, as required by 329 IAC 3-15 through 329 IAC 3-32, to include the waste pile storage area and submit those to U.S. EPA and IDEM within forty-five (45) days of this Amended Order becoming final.
- E. Respondent shall notify U.S. EPA in writing within seven (7) days upon achieving compliance with this Amended Order or any part thereof. This notification shall be submitted to the U.S. EPA, Region V, Waste Management Division, 230 South Dearborn Street, Chicago, Illinois 60604, Attention: Rick Hersemann, RCRA Enforcement Branch (5HR-12).

A copy of these documents and all correspondence with U.S. EPA regarding this Amended Order shall also be submitted to: Thomas Linson, Chief, Hazardous Waste Management Branch, Indiana Department of Environmental Management, 105 South Meridian Street, Indianapolis, Indiana 46240-6015.

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Notwithstanding any other provisions of this Amended Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. §6973, or any other applicable statutory authority, should U.S. EPA find that the handling, storage, treatment, transportation, or disposal of solid or hazardous waste at the facility may present an imminent and substantial endangerment to human health or the environment.

PROPOSED CIVIL PENALTY

In view of the above determination and in consideration of the seriousness of the violations cited herein, the potential harm to human health and the environment, the continuing nature of the violations, and the ability of the Respondent to pay penalties, the Complainant proposes to assess a civil penalty in the amount of SIXTY-FIVE THOUSAND THREE HUNDRED DOLLARS (\$65,300) against the Respondent, Rock Island Refining Corporation, pursuant to Sections 3008(c) and 3008(g) of RCRA, 42 U.S.C. §6928. Attachment I to the Amended Complaint provides a detailed summary of the proposed civil penalty. Payment shall be made by certified or cashier's check payable to the Treasurer of the United States of America and shall be mailed to U.S. EPA, Region V, P.O. Box 70753, Chicago, Illinois 60673. Copies of the transmittal of the payment should be sent to both the Regional Hearing Clerk, Planning and Management Division (5MF-14), and the Solid Waste and Emergency Response Branch Secretary, Office of Regional Counsel (5CS-TUB-3), U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604.

Failure to comply with any requirements of the Amended Order shall subject the above-named Respondent to liability for a civil penalty of up to TWENTY-FIVE

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THOUSAND DOLLARS (\$25,000) for each day of continued noncompliance with the deadlines contained in this Amended Order. U.S. EPA is authorized to assess such penalties pursuant to RCRA Section 3008(c).

NOTICE OF OPPORTUNITY FOR HEARING

The above-named Respondent has the right to request a hearing to contest any material factual allegation set forth in the Amended Complaint and Compliance Order or the appropriateness of any proposed compliance schedule or penalty. Unless said Respondent has filed an answer not later than thirty (30) days from the date this Amended Complaint is served, Respondent may be found in default of the above Amended Complaint and Compliance Order.

To avoid a finding of default by the Regional Administrator you must file a written answer to this Amended Complaint with the Regional Hearing Clerk, Planning and Management Dvision, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, within thirty (30) days of receipt of this notice. A copy of your answer and any subsequent documents filed in this action should be sent to Marc M. Radell, Assistant Regional Counsel (5CS-TUB-3), at the same address; and to the Administrative Law Judge, Thomas B. Yost, U.S. Environmental Protection Agency, 345 Courtland Street, Atlanta, Georgia 30365. Failure to answer within thirty days of receipt of this Amended Complaint may result in a finding by the Regional Administrator that the entire amount of penalty sought in the Amended Complaint is due and payable and subject to interest and penalty provisions contained in the Federal Claims Collection Act of 1966, 31 U.S.C. §3701 et seq.

Your answer should clearly and directly admit, deny, or explain each of the

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factual allegations of which Respondent has knowledge. Said answer should contain: (1) a definite statement of the facts which constitute the grounds of defense; and (2) a concise statement of the facts which Respondent intends to place at issue in the hearing. The denial of any material fact, or the raising of any affirmative defense, shall be construed as a request for a hearing.

The Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22, are applicable to this administrative action. A copy of these Rules was enclosed with the original Complaint.

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SETTLEMENT CONFERENCE

Whether or not Respondent requests a hearing, Respondent may confer informally with U.S. EPA concerning: (1) whether the alleged violations in fact occurred as set forth above; (2) the appropriateness of the compliance schedule; and (3) the appropriateness of any proposed penalty in relation to the size of Respondent's business, the gravity of the violations, and the effect of the proposed penalty on Respondent's ability to continue in business. Respondent may request an informal settlement conference at any time by contacting this office. Any such request, however, will not affect either the thirty-day time limit for responding to this Amended Complaint or the thirty-day time limit for requesting a formal hearing on the violations alleged herein.

U.S. EPA encourages all parties to pursue the possibilities of settlement through informal conferences. A request for an informal conference should be made in writing to Mr. Rick Hersemann, RCRA Enforcement Branch (5HR-12), at the address cited above, or by calling him at (312) 886-7567.

Dated	this	1142	day of	May	, 1990.
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Judith A. Kertcher

Acting Associate Director, Office of RCRA

Waste Management Division

Complainant

U.S. Environmental Protection Agency

Region V

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CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Amended Complaint to be served upon the persons designated below, on the date below, by causing said copies to be deposited in the U.S. Mail, First Class and certified-return receipt requested, postage prepaid, at Chicago, Illinois, in envelopes 577.052.724 addressed to: 577.052.723

C.T. Coporation Systems Registered Agent for Rock Island Refining Corporation One North Central Avenue Indianapolis, Indiana 46268

Administrative Law Judge Thomas B. Yost U.S. Environmental Protection Agency 345 Courtland Street Atlanta, Georgia 30365

I have further caused the original of the Amended Complaint and this Certificate of Service to be served in the Office of the Regional Hearing Clerk located in the Planning and Management Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, on the date below.

These are said persons' last known addresses to the subscriber.

Dated :	this	14	day of	May	 1990.
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U.S. EPA, Region V

PS Form 3811, July 1983 447-845	SENDER: Complete items 1, 2, 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are evailable. Consult postmaster for fees and check box(es) for service(s) requested. 1. Show to whom, date and address of delivery. 2. Restricted Delivery.	
845	3. Article Addressed to: C.T. CORP SYSTEMS Rock Isld Refining One N. Central Indianapolis, IN 4. Type of Service: Registered Insured Certified COD 577 052 724	
DOMESTIC RETURN RECEIPT	Always obtain signature of addressee or agent and DATE DELIVERED. 5. Signature - Addressee X 6. Signature - Agent X 7. Date of Delivery 8. Addressee's Address (ONLY if requested and fee paid)	

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

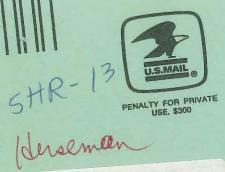
OFFICIAL BUSINESS

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.

Complete items 1, 2, 3, and 4 on the reverse.

Attach to front of article if space permits, otherwise affix to back of article.

Endorse article "Return Receipt Requested" adjacent to number.



RETURN TO



U.S. Environmental Protection Agency Region V 230 South Dearborn Chicago, Illinois 60604

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		RCRA	ENFORCEMENT ACTION SI	GN-OFF	AMEND	EP .	Comi	PCA
PART	I.	BACKGROUND						
		FACILITY NAME	ROCK ISLAND	REFIN	ING (PORPE	RAT.	ION
		FACILITY LOCATION	Indianapoeis, -	INDIA.	NA			
		RCRA ID NUMBER	IND 006 41	7 43	0			
		ASSIGNEES	REB HERSEMANN	ORC	RADE			
		NATURE OF VIOLATION	OPERATING WASTE	PILES	WITHOUT	PERA	117	
		DATE OF DISCOVERY	NOVEMBER 12, 19	87				
		DATE OF REFERRAL	Jucy 5, 1988		() NO	T APPL	ICABL	E
		ANY OTHER OUTSTANDING	OR PAST ENFORCEMENT					
		ORIGINAL COMP	CAINT 9/26/8	8			W. W. C.	
PART	II.		AMENDED COMPL.					
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PART	III	. CONCURRENCES ON DRA						
			INITIA	ALS DAT	E AGI	REE I	DISAGE	REE
		PREPARER CHIEF, RCRA ENF. S	ECTION RAH	5 3	1/90 (1 8/90 (V	-)	()
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		Chief, SWERB		R 21	22/40 (0	7	()
PART	TV -	NAME & DATE OF 300	3(a)(2) NOTICE LETTER	A	+ >9	1988		
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		LETT OF TE						
PART	٧.	APPROVAL						
		1. PREPARER 2. CHIEF, RCRA ENF	SECTION PAH	5	2/90 (2	()
		3. CHIEF, RCRA ENF 4. ASSISTANT REGIO	BRANCH WEN	1 5/	1/90 (2)	()

6. ASSOC. DIR., OFFICE OF RCRA

NOTE: Attach sign-off sheets to yellow copy of the enforcement action.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF:

MAY 14 1990

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ronald L. Andes, Esq. Marathon Oil Company Findlay, Ohio 45840



Re: Consent Agreement and Final Order Rock Island Refining Corporation IND 006 417 430

Dear Mr. Andes:

This letter is to acknowledge receipt of the Consent Agreement and Final Order signed by Marathon Petroleum Company. A fully executed copy of the Consent Agreement and Final Order is enclosed for your file. Also enclosed is a copy of the Amended Complaint, Findings of Violation, Compliance Order (Docket No. V-W-88-R-038) filed in this matter.

Your cooperation in resolving this matter is appreciated.

Sincerely yours,

Judith A. Kertcher

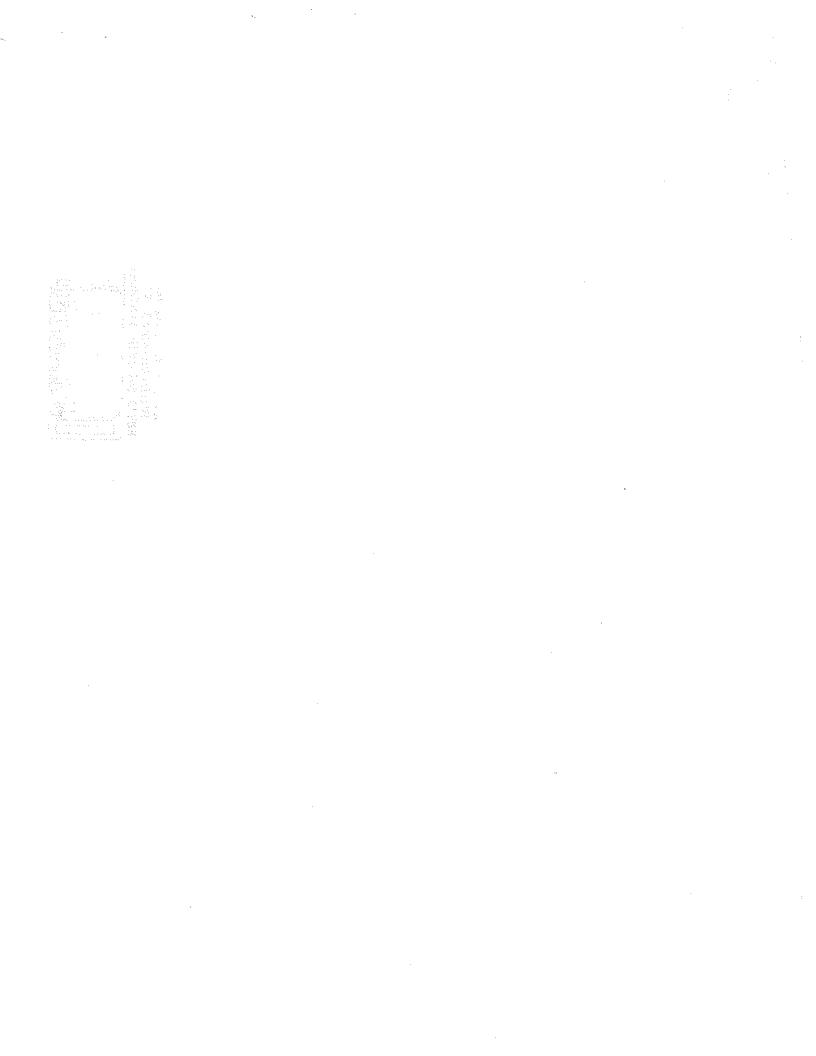
Acting Associate Division Director

Office of RCRA

Enclosures

cc: Tom Linson, IDEM

Dennis Zawodni, IDEM



5HR-13

MAY 14 1990

577-052-725

CERTIFIED MAIL REIURN RECEIPT REQUESTED

Ronald L. Andes, Esq. Marathon Oil Company Findlay, Ohio 45840

> Re: Consent Agreement and Final Order Rock Island Refining Corporation IND 006 417 430

Dear Mr. Andes:

This letter is to acknowledge receipt of the Consent Agreement and Final Order signed by Marathon Petroleum Company. A fully executed copy of the Consent Agreement and Final Order is enclosed for your file. Also enclosed is a copy of the Amended Complaint, Findings of Violation, Compliance Order (Docket No. V-W-88-R-038) filed in this matter.

Your cooperation in resolving this matter is appreciated.

Sincerely yours,

Judith A. Kertcher Acting Associate Division Director Office of RCRA

Enclosures

cc: Tom Linson, IDEM
Dennis Zawodni, IDEM



bcc: M. Radell, ORC

H. Cho, RPB

B. Shorty, 5MF-14

J. Sharp, 5HR-13

R. Small, OWPE, OS-520

Zotomayle

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539 S. Main St.

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Form 3811. July 1983 447-845	Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of						
Tulu 3	delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.						
983	1. Show to whom, date and address of delivery.						
24.70	2. Restricted Delivery.						
1	3. Article Addressed to: R.L. ANDES						
	Marathon oil 539 S. Main St						
	Findlay, OH						
1	4. Type of Service: Article Number						
	Registered Insured 577 052 725 Certified COD Express Mail						
	Always obtain signature of addressee or agent and DATE DELIVERED.						
200	5. Signature -/Addressee X						
DOMESTIC BETTIEN RECEIP	6. Signature - Agent X						
027	7. Date of Delivery 5-17-20						
	8. Addressee's Address (ONLY if requested and fee paid)						



OFFICIAL BUSINESS AY

SENDER INSTRUCTIONS
Print your name, address, and ZIP Code in the space below.
Complete items 1, 2, 3, and 4 on the reverse.
Attach to front of article if space permits, endorse article "Return Receipt Requested"

ETI IRM

RETURN TO





PENALTY FOR PRIVATE USE, \$300

U.S. Environmental Protection Agency Region V 230 South Dearborn Chicago, Illinois 60604

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

)	,
IN THE MATTER OF:	.)	DOCKET NO. V-W-88-R-038
)	
ROCK ISLAND REFINING CORPORATION)	CONSENT AGREEMENT AND
5000 WEST 86TH STREET)	FINAL ORDER
INDIANAPOLIS, INDIANA 46268)	
IND DOE 417 420		

IND 006 417 430

PREAMBLE

On September 26, 1988, the United States Environmental Protection Agency (U.S. EPA) issued the original Complaint and Compliance Order in this matter (Original Complaint) and on May 14, 1990, an Amended Complaint and Compliance Order (Amended Complaint) was filed pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act of 1976 (RCRA), as amended, 42 U.S.C. §6928(a)(1), and the U.S. EPA's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Complainant in the Original Complaint was the Director, Waste Management Division, Region V, U.S. EPA. This authority was delegated to the Associate Director, Office of RCRA, Waste Management Division, Region V, U.S. EPA, who was the Complainant in the Amended Complaint. The Respondent is Rock Island Refining Corporation, located at 5000 West 86th Street, Indianapolis, Indiana 46268. On December 1, 1989, Marathon Petroleum Company became the successor in interest to Rock Island Refining Corporation.

STIPULATIONS

The parties to this action, desiring to settle this action, and believing that this settlement is in the public interest, stipulate the following:

1. Respondent has been served with a copy of the Original Complaint and

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- the Amended Complaint, Findings of Violation, Compliance Order (Docket No. V-W-88-R-038) in this matter.
- 2. The Regional Administrator has jurisdiction over this matter pursuant to Section 3008(a)(2) of RCRA, 42 U.S.C. §6928(a)(2), which provides that U.S. EPA may enforce State regulations in those States authorized to administer a hazardous waste program. On January 31, 1986, the State of Indiana was granted final authorization by the Administrator of U.S. EPA, pursuant to Section 3006(b) of RCRA, 42 U.S.C. §6926(b), to administer a hazardous waste program in lieu of the Federal program. On July 5, 1988, the Indiana Department of Environmental Management (IDEM) referred jurisdiction over this matter to U.S. EPA.
- 3. Respondent's facility, located at 5000 West 86th Street, Indianapolis, Indiana is now owned and operated by Marathon Petroleum Company, an Ohio Corporation, whose registered agent in Indiana is CT Corporation Systems, One North Capital Avenue, Indianapolis, Indiana 46268.
- 4. Respondent admits the jurisdictional allegations contained in the Original Complaint and Amended Complaint filed herein.
- 5. Respondent neither admits nor denies the specific factual allegations contained in the Original Complaint and Amended Complaint filed herein.
- 6. Respondent explicitly waives the right to request a hearing on the allegations contained in the Original Complaint and Amended Complaint filed herein.
- 7. Should the Respondent fail to comply with any provisions contained in the subsequent Final Order, Respondent waives any rights it may possess in law or equity to challenge the authority of the U.S. EPA to bring a civil action in the appropriate United States district court to compel

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- compliance with the Final Order and/or to seek an additional penalty for the noncompliance.
- 8. Respondent consents to the issuance of the Order hereinafter recited and hereby consents to the payment of a civil penalty in the amount hereinafter stipulated, payable within thirty (30) days of the effective date of this Consent Agreement and Final Order.
- 9. This Consent Agreement and Final Order shall become effective on the date it is signed by the Director, Waste Management Division.

FINAL ORDER

Based upon the foregoing stipulations, the parties agree to the entry of the following Final Order:

- A. Respondent shall immediately cease the placement of any additional hazardous or nonhazardous waste (except in accordance with a closure plan approved pursuant to 329 IAC 3-21-3(d)) into the waste pile storage area known by Respondent as "Goat Hill". The area designated as "Goat Hill" is identified in Attachment A.
- B. Respondent shall achieve and maintain compliance with the standards applicable to generators of hazardous waste, as required by 329 IAC 3-7 through 329 IAC 3-11. Respondent shall notify the U.S. EPA and IDEM in writing that it has achieved compliance with this paragraph within thirty (30) days of the effective date of this Order. The notification of compliance shall be in accordance with paragraph F.
- C. Respondent shall, within forty-five (45) days of the effective date of this Order, submit a closure plan and (if necessary) a post-closure plan for the waste pile storage area known as "Goat Hill" to IDEM, as required by 329 IAC 3-21-3(d) and 329 IAC 3-22-9(e). Upon approval of the closure and (if necessary) post-closure plans by IDEM, Respondent shall perform all closure

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and post-closure activities detailed in the approved plans in accordance with the approved schedules therein. Upon completion of the required closure activities, Respondent shall certify in writing to IDEM that the waste pile storage area has been closed in accordance with the specifications in the approved closure plans. Respondent shall also submit, or cause to have submitted to IDEM, written certification of the same from an independent registered professional engineer.

- D. Respondent shall, within forty-five (45) days of the effective date of this Order, revise all cost estimates, financial assurance and liability insurance mechanisms, as required by 329 IAC 3-15 through 329 IAC 3-32, for the waste pile storage area and submit those to U.S. EPA and IDEM.
- E. Respondent shall, within thirty (30) days of the effective date of this Order, pay a civil penalty in the amount of FIFTY-FOUR THOUSAND DOLLARS (\$54,000), payable to the Treasurer of the United States of America and mailed to U.S. EPA, Region V, P.O. Box 70753, Chicago, Illinois 60673. A copy of the transmittal of payment shall be mailed to Ms. Beverely Shorty, Regional Hearing Clerk, Planning and Management Division, (5MF-14), U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604 and to the Office of Regional Counsel, (5CS-TUB-3), SWER Branch Secretary, 230 South Dearborn Street, Chicago, Illinois 60604.
- F. Respondent shall notify U.S. EPA and IDEM in writing as compliance is achieved with the individual paragraphs of this Order. The notification(s) of compliance shall be attested to by a responsible official who shall state:

" I certify that the information contained in or accompanying this notification of compliance is true, accurate, and complete."

This notification shall be submitted to U.S. EPA, Region V, Waste Management Division, 230 South Dearborn Street, Chicago, Illinois 6064,

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Attention: Rick Hersemann, RCRA Enforcement Branch, 5HR-12. A copy of these documents and all correspondence with U.S. EPA regarding this Order shall also be submitted to Thomas Linson, Indiana Department of Environmental Management, 105 South Meridian Street, Indianapolis, Indiana 46240-6015.

- G. Failure to comply with any requirement of this Order may subject the Respondent to liability for a penalty of up to TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for each day of continued noncompliance with the terms of this Order. U.S. EPA is authorized to assess such penalties pursuant to RCRA Section 3008(c), 42 U.S.C. §6928(c).
- H. Interest shall accrue on any amounts overdue under the terms of this Final Order at the rate established by the Secretary of the Treasury pursuant to 31 U.S.C. §3717. A late payment charge of \$20.00 will be imposed after thirty (30) days, with an additional charge of \$10.00 for each subsequent 30-day period over which an unpaid balance remains. In addition, a six percent per annum penalty will be applied on any principal amount not paid within ninety (90) days of the date that this Final Order is signed by the Director, Waste Management Division.
- I. This final Order and stipulations herein recited constitutes a settlement and final disposition of: (1) the Original Complaint and Amended Complaint filed in this case and; (2) all violations alleged by IDEM in its January 29, 1985, January 30, 1985, April 29, 1986, February 10, 1987, March 19, 1987, and November 12, 1987 inspections.
- J. Notwithstanding any other provisions of this Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. §6973, or other statutory provisions should U.S. EPA find that the handling, storage, treatment, transportation or disposal of solid waste or hazardous waste at the facility may present an imminent and substantial endangerment to human health or the environment.

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SIGNATORIES

Each undersigned representative of a signatory to this Consent Agreement and Final Order consisting of six (6) pages certifies that he or she is fully authorized to enter into the terms and conditions of this Consent Agreement and Final Order and to legally bind such signatory to this document.

Agreed this 20th day of March, 1990. By J. L. Atkins Indiana Refining Division Manager Marathon Petroleum Company	to this document.
Agreed this	May , 1990.
The above being agreed and consented to, it is	so ordered
this day of Muy	, 1990.
By Auxil A Mach Miliz Basil G. Constantelos, Director Waste Management Division U.S. Environmental Protection Agency Region V	Consent Agreement and Final Order: Pock Island Pofining Corporation
	Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indiana 46268

IND 006 417 430

Docket No. V-W-88-R-038

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FINK ROBERTS & PETRIE, INC. CONSULTING ENGINEERS

3307 WEST 96TH STREET

INDIANAPOLIS, INDIANA 46268

PHONE (317) 872-8400

PRINCIPALS
WILHELM BILGRAM, PE
JAMES A CRAWFORD, PE
DFFCERS
GUY E CANTWELL, PE, LS
JOE M BLEVINS, LS
SALIM K NAULAR, PE
ASSOCIATE
ASSOCIATE
ROBERT D LAMSON
CONSLITANTS
GEORGE A FINK, PE
B P PETRIE, PE

61767-3

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Michael L. Garoford

MICHARL L. CRANGERD, RESIDENCED LAND SURVEYOR Nº 320024, STATE OF THE HAME



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RCRA CC INT AGREEMENT AND FINAL ORDER S 1-OFF

PART I	BACKGROUND				
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	Facility RCRA ID Number	D 006 4	117 430		
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*					
PART II	CONCURRENCES ON DRAFT CAFO				
		Initials	Date	Agree	Disagree
	REB Assignee	RAH	2/7/90	V	
	Chief, RCRA Enf. Section	Im B	2/8/90		-
	Chief, RCRA Enf. Branch	Seffer WEM	2/9/90	_/	
	Asst. Regional Counsel	mmn	2/20/40	V_	
	Chief, S.W.E.R. Section	RIA	2 xelso		
PART III	RETURN TO ORC ASSIGNEE FOR TE	RANSMITTAL OF	DRAFT TO T	HE FACILI	ТҮ
PART IV	FINAL CAFO APPROVAL				
	REB Assignee	RAA	5/2/90		*********
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

DATE:

SUBJECT: CAFO for Rock Island Refining Corporation

Docket No. V-W-88-R-038

FROM: Judith A. Kertcher, Acting Associate

Division Director, Office of RCRA

TO: David A. Ullrich, Acting Director

Waste Management Division

The attached CAFO for Rock Island Refining Corporation, Indianapolis, Indiana has been negotiated to resolve our September 26, 1988, Complaint concerning operation of waste piles without interim status or a permit, failure to implement a ground-water monitoring program, failure to obtain liability coverage for sudden and non-sudden accidental occurrences, and various other interim status violations. During negotiations, Rock Island Refining Corporation and the new owner/operator of the facility, Marathon Petroleum Company, provided documentation that the surface impoundments and land treatment areas were not RCRA regulated. Marathon Petroleum Company provided documentation of liability insurance for the facility. Additional records were provided which indicated that the facility was in compliance with portions of the interim status standards at the time of the compliance inspections conducted by the State.

As a result of the additional information provided, U.S. EPA agreed to amend the Original Complaint, deleting certain violations and lowering of the penalty. The attached Amended Complaint will be issued at the time the CAFO is finalized.

Our penalty demand in the Original Complaint was \$140,350. Based on the information provided during settlement negotiations, the penalty in the Amended Complaint was lowered to \$65,300. During negotiations, Rock Island Refining Corporation and Marathon Petroleum Company agreed to pay a penalty of \$54,000. Rock Island Refining Corporation and Marathon Petroleum Company agreed to close their hazardous waste pile and maintain compliance with the generator requirements.

I recommend that you sign this Order and return the signed CAFO and Amended Complaint to my office for distribution.

Attachments

5HR-12:RHersemann:nd:6-7567:5/2/90:PC#15:Memo

TYP. AUTH. HIM MI/WI OH MI IL/MI/WI IN/AMN/OH RORA
ENR. SEC. ENR. SEC. ENR. SEC. ENR. SECTION CHIEF

110. 111. DATE 5/2/90

NCRA ENFORCEMENT SETTLEMENT CONFERENCE

MEETING ROSTER

SUBJECT	T ROCK ISCAND REFINING CORP - MARATHON DIE	
DATE _	FEBRUARY 1, 1990	
PLACE _	REGION V, CHICAGO, ILLINOIS	

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PERSON	REPRESENTING	ADDRESS	TELEPHONE
Sick Hersemann	U.S. EPA	230 5. Dearborn, Chicago	ac (312)886-7567
Marc Redell	U.S. EPA	230 S. Dearborn, Chicago.	886-7948
Ron Onles	Mounthon Oil Co	235 SouthMain St Fuell	Il 419 422 2121

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SETTLEMENT CONFERENCE

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

December 28, 1989

REPLY TO THE ATTENTION OF:

5CS-TUB-3

Ronald L. Andes Attorney Marathon Oil Company Findlay, Ohio 45840

Re: Rock Island Refining Corp.

Docket No. V-W-88-R-038

Dear Mr. Andes:

In response to your letter of December 5, 1989, the Region does not believe that a RCRA Facility Investigation/Corrective Measures Study (the RCRA equivalent of an RI/FS) should be conducted pursuant to a RCRA Section 3008(a) Consent Agreement and Final Order (CAFO). Such corrective action should be carried out pursuant to a RCRA permit or a separate consent order under Section 3008(h) of RCRA. The procedures and other provisions necessary for a 3008(h) order are too complex to be combined with the 3008(a) CAFO. For this reason, the Region believes that the draft CAFO should be entered in substantially the same form as that forwarded to you on October 3, 1989, to resolve the outstanding violations alleged in the September 26, 1988, Complaint. If Marathon Oil would like to incorporate RFI/CMStype activities as part of the closure of the waste piles, this should be addressed in the closure plan approved by the Indiana Department of Environmental Management.

Please contact me at (312) 886-7948 if you would like to discuss this further.

Sincerely.

Marc M. Radell

Assistant Regional Counsel

cc: R. Hersemann, 5HR-12



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Attorn., Andes 69767-2 Roch Island Conglaint on RCRA



Findlay, Ohio 45840 Telephone 419/422-2121

November 28, 1989

Mark Radell, Esq.
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois

Re: Amended Complaint and Compliance Order

Rock Island Refining Corporation

Docket Number V-W-87-R-064

Dear Mark:

Thank you for the opportunity to review and comment on the Amended Complaint and Compliance Order proposed to be issued in the above matter. The comments and changes recommended by Marathon Petroleum Company, Indiana Refining Division concerning the draft Consent Agreement and Final Order are as follows.

- 2. The preamble's identification of the Respondent should be amended to reflect that Rock Island Refining Corporation will be merged into Marathon Petroleum Company during the last week of November, 1989. It is suggested that the preamble identify Marathon Petroleum Company as a successor in interest to Rock Island Refining Corporation.

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Mark Radell, Esq. November 28, 1989 Page 2

- 3. Paragraph 1 of the stipulations should be revised to read as follows: "Respondent has been served with a copy of the Original Complaint and Amended Complaint in this matter."
- 4. Paragraph 3 of the stipulations should be revised to reflect that the facility at 5000 W. 86th Street, Indianapolis, Indiana, is now owned by the Marathon Petroleum Company, Indiana Refining Division, an Ohio Corporation, whose resident agent is C T Corporation System.
- 5. Paragraph 4 of the stipulations should be revised to read as follows: "Respondent admits the jurisdictional allegations contained in the Original Complaint and Amended Complaint."
- 6. Paragraph 6 of the stipulations should be revised to read as follows: "The respondent explicitly waives the right to request a hearing on the allegations contained in the Original Complaint and Amended Complaint filed herein."
- 7. Paragraph "A" of the Final Order should be revised to identify by an enclosure to the Consent Agreement and Final Order the specific location and dimensions of the waste pile which would be subject to the provisions of paragraph B and C of the Final Order. The paragraph should also indicate that corrective action for Solid Waste Management Units is not required unless clean closure cannot be achieved.
- 8. Paragraph "B" of the Final Order should be revised to allow forty-five (45) days after the effective date of the Order for the submission of a closure plan. Further, as per our telephone conversation we are interested in pursuing the investigation and cleanup of the waste pile area to be identified in Paragraph A by a site specific plan which could be incorporated into the Final Order. This would substitute for the provisions of Paragraph B and C of the agreement.
- 9. Paragraph "C" of the Final Order should be revised to allow forty-five (45) days after the effective date of the Order.
- 10. Paragraph "D" of the Final Order should be deleted. The Refinery will not operate a RCRA storage, treatment, or disposal facility.

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Mark Radell, Esq. November 28, 1989 Page 3

11. Paragraph "I" of the Final Order should be revised as follows: "This Final Order and stipulations herein recited constitute a settlement and final disposition of: (1) the Original Complaint and Amended Complaint filed in this case; (2) all violations alleged by IDEM in its January 29, 1985, January 30, 1985, March 19, 1987 and November 12, 1982 inspections."

As you review these comments, please understand that Respondent believes the \$65,300 penalty referred to in paragraph "E" of the Final Order should be reduced to \$42,800, based on the mitigating circumstances in this case. More specifically, the \$22,500 assessed for violation of 320 IAC 4.1-38-2 should be reduced because the Stoddard Solvent was not a RCRA hazardous waste, but a raw material.

I'm sorry for the delay in responding to you. The delay reflects my need to obtain comments from outside counsel and our contractor. I hope that the comments we have provided prove helpful in the drafting process. Please call if you have any questions or need additional information.

Sincerely,

Ronald L. Andes

Attorney

RLA/dkj

cc: G. W. Pendygraft

N. F. Seppi

W. E. Laque

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

October 3, 1989

REPLY TO THE ATTENTION OF:

5CS-TUB-3

Ronald L. Andes
Attorney
Marathon Oil Company
Findlay, Ohio 45840

Re: Rock Island Refining Corp.

Docket No. V-W-88-R-038

Dear Mr. Andes:

Enclosed please find a copy of a new Consent Agreement and Final Order ("CAFO") revised in keeping with our settlement discussions and documentation submitted by Marathon and Rock Island. Please review the CAFO and comment on it, as appropriate. I have also enclosed for your reference a copy of the draft, amended Complaint which Region V intends to file simultaneously with the final CAFO. An attachment to the Complaint explains the penalty calculation. Please contact me at (312) 886-7948 if you would like to arrange a conference call or meeting to discuss this further.

Sincerely,

Marc M. Radell

Assistant Regional Counsel

cc: R. Hersemann



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Attachment 3



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

Received at 8/23/90

REPLY TO THE ATTENTION OF: 5HR-12

31 AUG 1989

CERPIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Laque Marathon Petroleum Company 5000 West 86th Street Indianapolis, Indiana 46268 0338080002 CRAWFORD CO. ROBINSON/MARATHON COMPLIANCE

Re: Rock Island Refining Corporation Indianapolis, Indiana IND 006 417 430 Docket No. V-W-88-R-038

Dear Mr. Laque:

The United States Environmental Protection Agency (U.S. EPA) has reviewed the waste analysis data submitted at the August 10, 1989, informal settlement conference. The waste analysis data concerns the dewatering process of the wastewaters treated at your facility's wastewater treatment system. Specifically, the waste analysis data reviewed was the influent waste stream into the API separators and the effluent waste stream from the Oliver vacuum filter. The effluent is generated from the dewatering of API separator sludge at the Oliver vacuum filter, During the dewatering process, the effluent is returned to the API separators. The waste analysis data was submitted to demonstrate that the effluent from the Oliver vacuum filter is not a hazardous waste by application of 40 CFR 261.3(c)(2)(i) [329 IAC 3-3-3(c)(2)(A)].

In accordance with the August 23, 1985, U.S. EPA memorandum titled Applicability of the "Mixture" and "Derived From" Rules to Petroleum Refinery Wastewater Systems, U.S. EPA has determined that the effluent from the Oliver vacuum filter is not a hazardous waste by application of 40 CFR 261.3(c)(2)(i) [329 IAC 3-3-3(c)(2)(A)]. The waste analysis data demonstrates that the effluent from the Oliver vacuum filter is chemically equivalent to the non-listed wastewater influent into the API separators that originally generated the API separator sludge. Thus, the effluent from the Oliver vacuum filter, which is returned to the API separators, is not "derived from " the hazardous waste (API separator sludge).

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The U.S. EPA has also determined that the water generated in the API separators is not a hazardous waste by application of 40 CFR 261.3(b)(2) [329 IAC 3-3-3(b)(2)]. Therefore, the six aeration lagoons at your facility which received water from the API separators are not hazardous waste management units. The Indiana Department of Environmental Management (IDEM) has been informed of U.S. EPA's determinations and concurs with U.S. EPA's position regarding the six aeration lagoons. With respect to the corrective action program of the Resource Conservation and Recovery Act, these surface impoundments are classified as solid waste management units.

If you have any questions regarding this matter, please contact Mr. Rick Hersemann at (312) 886-7567.

Sincerely yours,

William E. Muno, Chief RCRA Enforcement Branch

CC: Ron Andes, Marathon Oil Company
Ned Seppi, Marathon Petroleum Company
George Pendygraft, Pendygraft & Plews
Thomas Linson, IDEM
Dennis Zawodni, IDEM
Phil Perry, IDEM

bcc: J. Boyle, REB H. Cho, RPB M. Radell, ORC

5HR-12:RHersemann:nd:6-7567:8/28/89

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The U.S. EPA has also determined that the water generated in the API separators is not a hazardous waste by application of 40 CFR 261.3(b)(2) [329 IAC 3-3-3(b)(2)]. Therefore, the six aeration lagoons at your facility which received water from the API separators are not hazardous waste management units. The Indiana Department of Environmental Management (IDEM) has been informed of U.S. FPA's determinations and concurs with U.S. EPA's position regarding the six aeration lagoons. With respect to the corrective action program of the Resource Conservation and Recovery Act, these surface impoundments are classified as solid waste management units.

If you have any questions regarding this matter, please contact Mr. Rick Hersemann at (312) 886-7567.

Sincerely yours,

W. E. Muno, Chief RCRA Enforcement Branch

cc: Ron Andes, Marathon Oil Company
Ned Seppi, Marathon Petroleum Company
George Pendygraft, Pendygraft & Flews
Thomas Linson, IDEM
Dennis Zawodni, IDEM
Phil Perry, IDEM

Tal para basan ang agantifikana rapantifika kanding pilan angkar pilangan. Ara Plantikananang an (1341) kita-156).

. Silitaran - Pilopanese et a

Anne Breiten Stangen den Stangensen der Stangensen Stan



P.O. Box 68007 Indianapolis, Indiana 46268-0007 Telephone 317/872-3200

August 24, 1989

Mr. Rick Hersemann RCRA Enforcement Branch (5HR-1Z) Waste Management Division U.S. EPA Region V 230 S. Dearborn Street Chicago, IL 60604

Dear Mr. Hersemann:

TO THE REAL PROPERTY OF THE PARTY OF THE PAR This letter is written confirming the phone conversation of August 23, 1989 concerning the need for additional information with respect to the Complaint dated September 26, 1988.

Those items are as follows:

1. Documentation on clean up of spillage of material in the ISD RCRA Inspection Report dated 11-12-87.

Refer to Exhibit A.

2. Documentation regarding manifests 00079, 00080, and 4956.

Refer to Exhibit B.

3. Documentation regarding Marathon Petroleum Company, Indiana Refining Division having appropriate RCRA insurance for sudden and non-sudden occurrences.

Rock Island Refining Corporation (Rock Island) is self-insured. This form of liability coverage is provided because the Corporation is a wholly owned subsidiary of Marathon Petroleum Company. Marathon Petroleum Company is a wholly owned subsidiary of Marathon Oil Company. Marathon Oil Company has been in business for 102 years, and had sales in excess of \$9 billion in 1988. Because of the financial capabilities of Marathon, Rock Island has the ability to demonstrate financial assurance. Enclosed as Exhibit C are examples of how other refineries in the 'Marathon System" have met the requirements of Sub-part H of 40 CFR Parts 264 and 265 using the financial test to demonstrate financial assurance.

Refer to Exhibit C.

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A Maria de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de La carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos de Carlos Page 2 Mr. Rick Hersemann

Should additional information be needed or questions arise concerning the matter, please contact the undersigned at (317) 872-3200.

Very truly yours

William E. Laque

Environmental Manager

WEL/kes

Encs.

EXHIBIT A



P.O. Box 68007 Indianapolis, Indiana 46268-0007 Telephone 317/872-3200

August 24, 1989

Mr. Rick Hersemann RCRA Enforcement Branch (5HR-1Z) Waste Management Division U.S. EPA, Region V 230 S. Dearborn Street Chicago, IL 60604

RE: Marathon Petroleum Company (Rock Island Refining Corporation)

Dear Mr. Hersemann:

At our meeting Thursday, August 10, 1989, you had indicated that you were interested in being provided additional information that Marathon Petroleum Company/Rock Island Refining Corporation (Marathon) might have in connection with spillage believed to have occurred in the general vicinity of the East API Separator and West API Separator. This was not mentioned in the Complaint, but requested based on the TSD RCRA Inspection Report (that you provided to us after the first meeting) dated 11-12-87, page 5, Item 13., additional comments: "Noted spillage of oily material around area of East API Separator-north side. Also, note spillage around sludge holding (accelator tank on west side as mentioned during the last inspection (see diagram)".

After review of company records, we have, to date, been unable to obtain documentation on the removal and disposal of such spilled material specifically identified in the inspection report. Nonetheless, it has been the company's routine practice where any such spills may have occurred, for the material to be removed and disposed of properly.

To be doubly sure, the areas are being cleaned, formal work orders have been issued as a follow-up to address the matter (refer to Attachment A), copies of those work orders are included, and the progress of that work is being monitored by the undersigned. The material being removed is assumed to be hazardous waste for purpose of disposal.

Very truly yours,

William E. Laque

Environmental Manager

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ATTACHMENT A

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	OFFICE OF
1	F.O. Box 70
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INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OFFICE OF SOLID AND HAZARDOUS WASTE MANAGEMENT P.O. Box 7035 Indianapolis, IN 46207-7035

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PAGE 3 (light green) TSD MAIL TO TSD STATE
PAGE 4 (light pink) OUT OF STATE GENERATOR/TSD MAIL TO IDEM

PAGE 5 (light blue) TSD COPY
PAGE 6 (canary) GENERATOR COPY
PAGE 7 (white) TRANSPORTER 1 COPY
PAGE 8 (white) TRANSPORTER 2 COPY

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Price Waterhouse



May 10, 1989

To the Board of Directors and Management of Marathon Oil Company

We have audited, in accordance with generally accepted auditing standards, the consolidated balance sheet of Marathon Oil Company (a wholly owned subsidiary of USX Corporation) and Subsidiaries as of December 31, 1988 and 1987 and the related consolidated statements of income, of shareholder's equity, and of cash flows for each of the three years in the period ended December 31, 1988 and have issued our report thereon dated February 7, 1989. We have not examined any financial statements of the Company as of any date or for any period subsequent to December 31, 1988, and we have not applied any other procedures except for those described in this report.

For the purpose of this report, we have applied agreed-upon procedures, described in the following paragraph, to certain information appearing in the Company's letter dated March 21, 1989 to comply with the financial requirements of Subpart H of 40 CFR, Parts 264 and 265.

Our procedures consisted of comparing the data in the letter from the chief financial officer of the Company in Alternative II, Items 5 and 6, with, except as described below, the information contained in the audited financial statements of the Company for the year ended December 31, 1988. With respect to tangible net worth at Item 5, we subtracted the dollar amount of intangible assets, obtained from the Company's accounting records, from the dollar amount of total assets, obtained from the audited financial statements of the Company, and further subtracted from the resulting amount the dollar amount of total liabilities obtained from the audited financial statements of the Company.

Because the procedures referred to in the preceding paragraph do not constitute an audit made in accordance with generally accepted auditing standards, we do not express an opinion on any of the items referred to above. In connection with the procedures referred to in the preceding paragraph, no matters came to our attention that caused us to believe that the items specified in this

May 10, 1989 To the Board of Directors Page Two



report should be adjusted. This report relates only to the items specified in the preceding paragraph and, accordingly, we do not express an opinion, or any other form of assurance, on any other data appearing in the Company's letter.

It is understood that this report is solely for complying with the requirements described in the second paragraph of this report and should not be used for any other purposes.

Price Waterlans

• .

March 21, 1989

Secretary Louisiana Department of Environmental Quality P. O. Box 44307 Baton Rouge, Louisiana 70804

Dear Sir:

I am the chief financial officer of Marathon Oil Company; 539 South Main Street; Findlay, Ohio 45840. This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in Chapter 37 of the Louisiana Hazardous Waste Regulations (LHWR).

- 1. This firm is the owner or operator of the following facilities for which financial assurance for closure or post-closure care is demonstrated through the financial test specified in Chapter 37 of the LHWR. The current closure and/or post-closure cost estimates covered by the test are shown for each facility: None.
- 2. This firm guarantees, through the corporate guarantee specified in Chapter 37 of the LHWR, the closure or post-closure care of the following facilities owned or operated by subsidiaries of this firm. The current cost estimates for the closure or post-closure care so guaranteed are shown for each facility: See attached.
- 3. In States other than Louisiana, this firm, as owner or operator or guarantor, is demonstrating financial assurance for the closure or post-closure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in Chapter 37 of the LHWR. The current closure and/or post-closure cost estimates covered by such a test are shown for each facility: See attached.
- 4. This firm is the owner or operator of the following hazardous waste management facilities for which financial assurance for closure or, if a disposal facility, post-closure care, is not demonstrated either to the U.S. Environmental Protection Agency or to a State through the financial test or any other financial assurance mechanism specified in Chapter 37 of the LHWR and/or equivalent or substantially equivalent State mechanisms. The current closure and/or post-closure cost estimates not covered by such financial assurance are shown for each facility: None.

This firm is not required to file a Form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

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The fiscal year of this firm ends on December 31. The figures for the following items marked with an asterisk are derived from this firm's independently audited, year-end financial statements for the latest completed fiscal year, ended 1988.

ALTERNATIVE II

- 1. Sum of current closure and post-closure cost estimates: \$12,275,965
- Current bond rating of most recent issuance of this firm and name of rating service: Baa - Moody's
- 3. Date of issuance of bond: March 1, 1987
- 4. Date of maturity of bond: March 1, 1994
- *5. Tangible net worth: \$3,217,264,000
- *6. Total assets in U.S. (required only if less than 90% of firm's assets are located in the U.S): \$6,697,000,000

		YES	МО
7.	Is line 5 at least \$10 million?	<u> </u>	·
8.	Is line 5 at least 6 times line 17	X	-tt-internament
9.	Are at least 90% of firm's assets located in the U.S.? If not, complete line 10.	Desireda nia	X
10.	Is line 6 at least 6 times line 1?	X	-

I hereby certify that the wording of this letter is identical to the wording specified in LAC 33:V.3719.F as such regulations were constituted on the date shown immediately below.

Signed:			
R. D. Cooley		-	
Senior Vice President,	Finance	and	Administration
Date:	. 		

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	•				
					•
					•
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			losure rount	Post-Closure Amount	<u>Total</u>
2.	USEPA I.D. No. LAD 081999724 Name: Marathon Petroleum Company; Garyville, LA Refinery Address: R. No. 61; Garyville, LA 70051	\$1	,139,726	\$1,330,034	\$2,469,760
3.	USEPA I.D. No. IDL 0005476882 Name: Marathon Petroleum Company; Robinson, IL Refinery Address: Refinery Office Building; Robinson, IL 62454	\$1.	,912,043	\$4,140,462	\$6,052,505
	USEPA I.D. No. GD-095-0981 Name: Marathon Petroleum Company; Garyville, LA Refinery Address: R. No. 61; Garyville, LA 70051	\$3,	,675,550	\$0	\$3,675,550
	USEPA I.D. No. TXD 008079501 Name: Marathon Petroleum Company; Texas City, TX Refinery Address: 1320 Loop 197 South; Texas City, TX 77592-1191	\$	78,150	\$0	\$ 78,150
	USEPA I.D. No. INDOO6417430 Name: Rock Island Refining Corp.; Indianapolis, IN Refine Address: 5000 West 86 Street; Indianapolis, IN 46268	ry.	acquired on March Closure	and Refining Corpo by Marathon Petro 8, 1989. Closure amounts are in the termined.	oleum Company and Post-

LETTER FROM CHIEF FINANCIAL OFFICER

March 21, 1989

Mr. E. V. Hatton, Head Compliance Assistance Unit Hazardous and Solid Waste Division Texas Water Commission 1700 North Congress Avenue Austin, Texas 78711

Dear Mr. Hatton:

I am the chief financial officer of Marathon Oil Company; 539 South Main Street; Findlay, Ohio 45840. This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in Subpart H of 40 CFR Parts 264 and 265.

- 1. This firm is the owner or operator of the following facilities for which financial assurance for closure or post-closure care is demonstrated through the financial test specified in Subpart H of 40 CFR Parts 264 and 265. The current closure and/or post-closure cost estimates covered by the test are shown for each facility: None.
- 2. This firm guarantees, through the corporate guarantee specified in Subpart H of 40 CFR Parts 264 and 265, the closure or post-closure care of the following facilities owned or operated by subsidiaries of this firm. The current cost estimates for the closure or post-closure care so guaranteed are shown for each facility: None.
- 3. In States where EPA is not administering the financial requirements of Subpart H of 40 CFR Part 264 and 265, this firm, as owner or operator or guarantor, is demonstrating financial assurance for the closure or post-closure care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in Subpart H of 40 CFR Parts 264 and 265. The current closure and/or post-closure cost estimates covered by such a test are shown for each facility: See attached.
- 4. This firm is the owner or operator of the following hazardous waste management facilities for which financial assurance for closure or, if a disposal facility, post-closure care, is not demonstrated either to the EPA or a State through the financial test or any other financial assurance mechanism specified in Subpart H of 40 CFR Parts 264 and 265 or equivalent or substantially equivalent State mechanisms. The current closure and/or post-closure cost estimates not covered by such financial assurance are shown for each facility: None.

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This firm is not required to file a Form 10K with the Securities and Exchange Commission (SEC) for the latest fiscal year.

The ficeal year of this firm ands on December 31

	ALTERNATIVE II		
1.	Sum of current closure and post-closure cost estimates	natae: \$19 :	75 OSS
r.		h A commence of the second sec	
2.	Current bond rating of most recent issuance of the rating service: Baa - Moody's	is firm and :	name of
3.	Date of issuance of bond: March 1, 1987		
4.	Date of maturity of bond: March 1, 1994		
* 5.	Tangible net worth: \$3,217,264,000		•
* 6.	Total assets in U.S. (required only if less than are located in the U.S): \$6,697,000,000	90% of firm's	assets
		YES	NO
7.	Is line 5 at least \$10 million?	X	******
8.	Is line 5 at least 6 times line 1?	X	anadanja pigari a
9.	Are at least 90% of firm's assets located in the U.S.? If not, complete line 10.	4 transportante	<u> </u>
10.	Is line 6 at least 6 times line 1?	X	-
word	reby certify that the wording of this letter is id ing specified in 40 CFR 264.151(f) as such regulat tituted on the date shown immediately below.		he

Signed: R. D. Cooley			Market Barbara (1944)
Senior Vice President,	Finance	and	${\tt Administration}$
Date:		 	ر الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ الماريخ ا

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			sure unt	Post-Closure Amount	Total
3.	USEPA I.D. No. TXD 008079501 Name: Marathon Petroleum Company; Texas City, TX Refinery Address: 1320 Loop 197 South; Texas City, TX 77592-1191		78,150	\$9	\$ 78,150
	USEPA I.D. No. LAD 081999724 Name: Marathon Petroleum Company; Garyville, LA Refinery Address: R. No. 61; Garyville, LA 70051		39,726	\$1,330,034	\$2,469,760
	USEPA I.D. No. GD-095-0981 Name: Marathon Petroleum Company; Garyville, LA Refinery Address: R. No. 61; Garyville, LA 70051	\$3,6	75,550	\$0	\$3,675,550
	USEPA I.D. No. IDL 0005476882 Name: Marathon Petroleum Company; Robinson, IL Refinery Address: Refinery Office Building; Robinson, IL 62454	\$1,9	12,043	\$4,140,462	\$6,052,505
	USEPA I.D. No. INDO06417430 Name: Rock Island Refining Corp.; Indianapolis, IN Refine Address: 5000 West 86 Street; Indianapolis, IN 46268	ery,	acquired on March Closure	and Refining Corpo by Marathon Petro 8, 1989. Closure amounts are in the termined.	oleum Company e and Post-

Price Waterhouse



May 10, 1989

To the Board of Directors and Management of Marathon Oil Company

We have audited, in accordance with generally accepted auditing standards, the consolidated balance sheet of Marathon Oil Company (a wholly owned subsidiary of USX Corporation) and Subsidiaries as of December 31, 1988 and 1987 and the related consolidated statements of income, of shareholder's equity, and of cash flows for each of the three years in the period ended December 31, 1988 and have issued our report thereon dated February 7, 1989. We have not examined any financial statements of the Company as of any date or for any period subsequent to December 31, 1988, and we have not applied any other procedures except for those described in this report.

For the purpose of this report, we have applied agreed-upon procedures, described in the following paragraph, to certain information appearing in the Company's letter dated March 21, 1989 to comply with the financial requirements of Subpart H of 40 CFR, Parts 264 and 265.

Our procedures consisted of comparing the data in the letter from the chief financial officer of the Company in Alternative II, Items 5 and 6, with, except as described below, the information contained in the audited, financial statements of the Company for the year ended December 31, 1988. With respect to tangible net worth at Item 5, we subtracted the dollar amount of intangible assets, obtained from the Company's accounting records, from the dollar amount of total assets, obtained from the audited financial statements of the Company, and further subtracted from the resulting amount the dollar amount of total liabilities obtained from the audited financial statements of the Company.

Because the procedures referred to in the preceding paragraph do not constitute an audit made in accordance with generally accepted auditing standards, we do not express an opinion on any of the items referred to above. In connection with the procedures referred to in the preceding paragraph, no matters came to our attention that caused us to believe that the items specified in this



May 10, 1989 To the Board of Directors Page Two



report should be adjusted. This report relates only to the items specified in the preceding paragraph and, accordingly, we do not express an opinion, or any other form of assurance, on any other data appearing in the Company's letter.

It is understood that this report is solely for complying with the requirements described in the second paragraph of this report and should not be used for any other purposes.

Price Waterlans

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CORPORATE GUARANTEE FOR CLOSURE AND/OR POST-CLOSURE CARE AND/OR CORRECTIVE ACTION

Guarantee made this January 16, 1989 by Marathon Oil Company, a business corporation organized under the laws of the State of Ohio, herein referred to as guarantor, to the Texas Water Commission (TWC), obligee, on behalf of our subsidiary Marathon Petroleum Company of 539 South Main Street; Findlay, Ohio 45840.

Recitals

- (1) Guarantor meets or exceeds the financial test criteria and agrees to comply with the reporting requirements for guarantors as specified in 40 CFR 264.143(f), 264.145(f), 264.147(d), 265.143(e), and 265.145(e).
- (2) Marathon Petroleum Company owns or operates the following hazardous waste management facility(ies) covered by this guarantee: See attached.
- (3) "Closure plans" and "post-closure plans" as used below refer to the plans maintained as required by Subpart G of 40 CFR Parts 264 and 265 for the closure and post-closure care of facilities as identified above.
- (4) For value received from Marathon Petroleum Company, guarantor guarantees to TWC that in the event that Marathon Petroleum Company fails to perform closure and/or post-closure care at the above facility(ies) in accordance with the closure, post-closure care, or corrective action measures specified in the permit and other permit or interim status requirements whenever required to do so, the guarantor shall do so or fund the standby trust fund in the name of Marathon Petroleum Company in the amount of the current closure and/or post-closure care, or corrective action cost estimates as specified in Subpart H of 40 CFR Parts 264 and 265.
- (5) Guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, the guarantor fails to meet the financial test criteria, guarantor shall send within 90 days, by certified mail, notice to the TWC Executive Director for the Region(s) in which the facility(ies) is (are) located and to Marathon Petroleum Company that he intends to provide alternative financial assurance as specified in Subpart H of 40 CFR Parts 264 and 265, as applicable, in the name of Marathon Petroleum Company. Within 120 days after the end of such fiscal year, the guarantor shall establish such financial assurance unless Marathon Petroleum Company has done so.
- (6) The guarantor agrees to notify the TWC Executive Director by certified mail, of a voluntary or involuntary proceeding under Title 11 (Bankruptcy), U.S. Code, naming guarantor as debtor, within 10 days after commencement of the proceeding.
- (7) Guarantor agrees that within 30 days after being notified by the TWC Executive Director of a determination that guarantor no longer meets the financial test criteria or that he is disallowed from continuing as a guarantor of closure and/or post-closure care, or corrective action, he shall establish alternate financial assurance as specified in Subpart H of 40 CFR Part 264 or 265, as applicable, in the name of Marathon Petroleum Company unless Marathon Petroleum Company has done so.

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- (8) Guarantor agrees to remain bound under this guarantee notwithstanding any or all of the following: Amendment or modification of the closure plan, post-closure care plan, or specified corrective action measures; amendment or modification of the permit; the extension or reduction of the time of performance of closure, post-closure care, or corrective action; or any other modification or alteration of an obligation of the owner or operator pursuant to 40 CFR Parts 264 or 265.
- (9) Guarantor agrees to remain bound under this guarantee for so long as Marathon Petroleum Company must comply with the applicable financial assurance requirements of Subpart H of 40 CFR Parts 264 and 265 for the above-listed facilities, except that guarantor may cancel this guarantee by sending notice by certified mail to the TWC Executive Director for the Region(s) in which the facility(ies) is (are) located and to Marathon Petroleum Company, such cancellation to become effective no earlier than 120 days after receipt of such notice by both TWC and Marathon Petroleum Company, as evidenced by the return receipts.
- (10) Guarantor agrees that if Marathon Petroleum Company fails to provide alternate financial assurance as specified in Subpart H of 40 CFR Parts 264 and 265, as applicable, and obtain written approval of such assurance from the TWC Executive Director within 90 days after a notice of cancellation by the guarantor is received by the TWC Executive Director from guarantor, guarantor shall provide such alternate financial assurance in the name of Marathon Petroleum Company.
- (11) Guarantor expressly waives notice of acceptance of this guarantee by the TWC or by Marathon Petroleum Company. Guarantor also expressly waives notice of amendments or modifications of the closure and/or post-closure plan and of amendments or modifications of the facility permit(s).

I hereby certify that that wording of this guarantee is identical to the wording specified in 40 CFR 264.151(h) as such regulations were constituted on the date first above written.

Effective date:
Marathon Oil Company
Signed: R. D. Cooley, Senior Vice President Finance and Administration
Signature of witness or notary:

		_	losure nount	Post-Closure Amount	Total
2.	USEPA I.D. No. TXD 008079501 Name: Marathon Petroleum Company; Texas City, TX Refinery	\$	78,150	\$0	\$ 78,150
	Address: 1320 Loop 197 South; Texas City, TX 77592-1191		*		

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LETTER FROM CHIEF FINANCIAL OFFICER

(Assurance of closure and/or post-c	losure care)		en en en en en en en en en en en en en e
Director Ulinois Environmental Protection Agency	in Marian Marian I		
200 Churchill Road Springfield, Illinois 62706			
Dear Sir or Madam:			
Manathan Off Company, 520 Court	h Main Stroot.	Findlay OH	45940
I am the chief financial officer of Marathon UTI Company; 539 Sout	(1)	, I maray, on	43040
This letter is in support of this firm's use of the financial test to demonstrate financial a and/or Subpart H of 35-Illinois Administrative Code Parts 724 and 725.	ssurance, as specified	in Subpart H of 40 CFF	R Parts 264 and 26
See Instruction (2)			
 This firm is the owner or operator of the following facilities for which financial through the financial test specified in Subpart H of 35 Ill. Adm. Code Parts 724 covered by the test are shown for each facility: (LIST ALL THE ILLINOIS FACE) 	and 725. The current	closure and/or post-clo	re is demonstrate sure cost estimate
		The Property Edition	Closure and
USEPA I.D. No.	Closure Amount	Post-Closure	Post-Closure
(3)	(4)	Amount (5)	Amounts (6)
Name			
Address	and the second second	entre en la companya de la companya	
City 19 19 19 19 19 19 19 19 19 19 19 19 19		· Salahan Agamatan Salahan	epilosija
			radioments Against a c
USEPA I.D. No.			
Name			
Address			
City			
			1 (41.) AM WY
Please attach a separate page if more space is needed for all facilities.		Same Same	s periodical
2. This firm guarantees, through the corporate guarantee specified in Subpart H of post-closure care of the following facilities owned or operated by subsidiaries of closure care so guaranteed are shown for each facility: (LIST ALL THE ILLING)	of this firm. The curre	ent cost estimates for	closure and/or pos
USEPA I.D. No. IDL0005476882	Closure Amount	Post-Closure	Post-Closure
(3)	Amount (4)	Amount (5)	Amounts (6)
Name Marathon Petroleum Company; Robinson, Illinois Re	finery		
Address Refinery Office Building	\$1,912,043	\$4,140,462	\$6,052,50
City Robinson, Illinois 62454			
		in the l and training distance.	11 - 12 - 14 - 14 - 14 - 14 - 14 - 14 -
USEPA I.D. No.			
Name of the state	To See Suite	en og sterke her til helde skrivet for	i Laggir and Franklin
Name		en en en en en en en en en en en en en e	and the second second
Address			
City			

Please attach a separate page if more space is needed for all facilities.

This Agency is authorized to require this information under Illinois Revised Statutes, 1981, Chapter 111 1/2, Section 21(f). Disclosure of this information is required. Failure to do so may result in a civil penalty not to exceed \$25,000 per day of violation. Faisification of this information may constitute a Class 4 felony, which also carries a fine of up to \$25,000 per day of violation for the first offense. This form has been approved by the Forms Management Center.

FACILITIES WHICH ARE NOT IN ILLINOIS BUT ARE SUBJECT TO A STAT THAT ARE ASSURED BY A FINANCIAL TEST OR CORPORATE GUARANT	EE)	1 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	
			Closure and
<u>USEPA I.D. No. LAD 081999724</u>	Closure	Post-Closure	Post-Closure
(3)	Amount (4)	Amount (5)	Amounts (6)
Name Marathon Petroleum Company; Garyville, LA Refiner	y		
Address R. No. 61	\$1,139,726	\$1,330,034	\$2,469,760
City Garyville, LA 70051			, , , , , , , , , , , , , , , , , , , ,
USEPA I.D. No. GD-095-0981			
<u> </u>	· .	$(x_1,\dots,x_n) \in \mathbb{R}^n$	
Name Marathon Petroleum Company; Garyville, LA Refiner			
Address R. No. 61	\$3,675,550	\$0	\$3,675,550
Canvuillo IA 70051	ψο,ο,ο,ο,ο		ψ3,073,330
See attached	-		
Please attach a separate page if more space is needed for all facilities.		Marian Amerikan Amerikan	
4. This firm is the owner or operator of the following hazardous waste managemen		Service Servic	
		adija na serial sekr	~ .
USEPA I.D. No.	Closure Amount (4)	Post-Closure Amount (5)	Closure and Post-Closure Amounts
	<u>Amount</u>		Post-Closure
(3)	<u>Amount</u>	Amount	Post-Closure Amounts
Name	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City USEPA I.D. No.	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City USEPA I.D. No.	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City USEPA I.D. No. Name Address	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City USEPA I.D. No. Name Address	<u>Amount</u>	Amount	Post-Closure Amounts
Name Address City USEPA I.D. No. Name Address City Please attach a separate page if more space is needed for all facilities.	Amount (4)	Amount (5)	Post-Closure Amounts (6)
Name Address City USEPA I.D. No. Name Address City Please attach a separate page if more space is needed for all facilities. This firm is not required to file a Form 10K with the Securities	Amount (4)	Amount (5)	Post-Closure Amounts (6)
Name Address City USEPA I.D. No. Name Address City Please attach a separate page if more space is needed for all facilities. This firmis not required to file a Form 10K with the Securities (7) The fiscal year of this firm ends onDecember 31st*. The figures for the	Amount (4)	Amount (5) nission (SEC) for the	Post-Closure Amounts (6)
Name Address City USEPA I.D. No. Name Address City Please attach a separate page if more space is needed for all facilities. This firm is not required to file a Form 10K with the Securities	Amount (4) s and Exchange Commune following items man	Amount (5) nission (SEC) for the	Post-Closure Amounts (6)
Name Address City USEPA I.D. No. Name Address City Please attach a separate page if more space is needed for all facilities. This firmis_not_required to file a Form 10K with the Securities	Amount (4) s and Exchange Commune following items man	Amount (5) nission (SEC) for the	Post-Closure Amounts (6)

For states other than Illinois this firm, as owner or operator or guarantor, is demonstrating financial assurance for the closure and/or post-closure

care of the following facilities through the use of a test equivalent or substantially equivalent to the financial test specified in Subpart H of 40

3.

See Instruction (10) (Letter From Chief Financial Officer)

Alternative I

1.	Sum of current closure and post-closure cost paragraphs above)					
*2.						· · · · · · · · · · · · · · · · · · ·
*3.	3. Tangible net worth	•••••••		\$		
*4.	1. Net worth		• • • • • • • • • • • • • • • • • • • •	\$	_	
* 5.	5. Current assets			•		
*6.	5. Current liabilities			\$		
7.		and the second field of the contribution of the second field of the second to be		\$		Ng Kilong
*8.	8. The sum of net income plus depreciation, de	pletion, and amortization		\$		
* 9	9. Total assets in U.S. (required only if less the	an 90% of firm's assets are lo	cated in the U.S.)	\$		
		en en en en en en en en en en en en en e			Yes	No
11.	0. Is line 3 at least \$10 million?				/	
13. 14.	 3. Are at least 90% of firm's assets located in the If not, complete line 14. 4. Is line 9 at least 6 times line 1?	the U.S.?				<u> </u>
15. 16. 17.	Is line 8 divided by line 2 greater than 0.1?				/	·
	Signature Typed name					
Titl	Title					
Dat	Date Space Space		•			

See Instruction (10) (Letter From Chief Financial Officer)

Alternative II

1.	Sum of current closure and post-closure cost estimates (total of all cost estimates shown in the four paragraphs above)	\$	12,275,	965	· · ·
2.	Current bond rating of most recent issuance of this firm and name of rating service	В	aa-Mood	y¹s	
3.	Date of issuance of bond	М	arch 1,	1987	
4.	Date of maturity of bond	_M	arch 1,	1994	
*5.	Tangible net worth (if any portion of the closure and post-closure cost estimates is included in "total liabilities" on your firm's financial statements, you may add the amount of that portion to this line)	\$_	3,217,	264,0	00
* 6.	Total assets in U.S. (required only if less than 90% of firm's assets are located in the U.S.)	. \$	6,697,	000,0	00
•			Yes	N	0
7.	Is line 5 at least \$10 million? Is line 5 at least 6 times line 1? Are at least 90% of firm's assets located in the U.S.?		<u>X</u>	_/	
8.	Is line 5 at least 6 times line 1?		^	-/ 	Y
*9.				/	
	If not, complete line 10. Is line 6 at least 6 times line 1?		x	,	
10.	Is line 6 at least 6 times line 1?	• • • •	• • • • • • • • • • • • • • • • • • • •	/ -	
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Typed name

R. D. COOLEY

Sr. Vice President, Finance & Administration

Date March 21, 1989

Title

Closure and Post-Closure Closure Post-Closure Amount Amount Amounts USEPA I.D. No. TXD 008079501 Name Harathon Petroleum Company; Texas City, TX Refinery Address 1320 Loop 197 South City Texas City, TX 77592-1191 \$78,150 \$0 \$78,150 USEPA 1.D. No. 1MD006417430 Rock Island Refining Corporation was acquired by Marathon Petroleum Company on March 8, 1989. Closure and Post-Closure amounts are in Name Rock Island Refining Corp.; Indianapolis, IN Refinery Address 5000 West 86 Street City Indianapolis, IN 46268 City the process of being determined.

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CORPORATE GUARANTEE FOR CLOSURE AND/OR POST-CLOSURE CARE

arantee made this by	Marathon Oil Con	npany		, a business
corporation organized under the laws of the State ofOhio)	(2) , herein referred to as (guarantor, to the Illin	iois Environmental
Protection Agency (IEPA), obligee, on behalf of our subsidiary	y <u>Marathon Pet</u> i	roleum Company		
of 539 South Main Street, Findlay, Ohio				u Tarrenga, ku era
(5)			and the second	
Recitals	en en en en en en en en en en en en en e	en al estado en la composição de la composição de la composição de la composição de la composição de la compos La composição de la compo	t a constant	
 Guarantor meets or exceeds the financial test criteria : Illinois Administrative Code 724.243(f), 724.245(f), 725 	and agrees to comply w 5.243, and 725.245.	ith the reporting requir	ements for guarantor	s as specified in 35
2. Marathon Petroleum Company	i de l'Adrient de la little de l'Adriana. La little de la little de l'Adriana de l'Adriana de l'Adriana de l'Adriana de l'Adriana de l'Adriana de l'Adri	owns or o	perates the following	
management facility(ies) covered by this guarantee:				The state of the s
management facility (tes) covered by this guarantee.				AND SUPERIOR
USEPA I.D. No. ILD 0005476882		Closure Amount	Post-Closure Amount	Closure and Post-Closure Amounts
Co. The control of t	tion of the Apparatus o	(8)	(9)	(10)
Name Marathon Petroleum Company: Robin	nson Illinois R	<u>efi</u> nery		ericania de la Seguina de la S
Address Refinery Office Building	North and the community	\$1,912,043	\$4,140,462	\$6,052,505
USEPA I.D. No.			in a mark to promite in a second and a second second in a fine part and a second second second second and a second second second second second second and a second second second second second second second second second second second second second second second second second br>second second	i (Taglion) (Taglion) Selection (Taglion) Ballion (Selection)
Name		<u>avete.</u> (1916) – Nasas avetes (1916) T	to the state of the	
Address	<u>. "Andrews Co</u>	trejusti travas e rezentit	And Andreas	
City Please attach a separate page if more space is needed for all		ing gi Nasagad Masagada sa Masagada Masagada sa Masagada	ng Afrika ka salis Parangan Parangan	ende de la capación de de la capación de la capación de de la capación de br>de la capación de la c
3. "Closure plans" and "post-closure plans" as used below Parts 724 and 725 for the closure and/or post-closure c	care of facilities as iden	tified above.		
4. For value received from Marathon Petroleum	n Company	er i karantar kabupatèn dalah dalah dalah dalah dalah dalah dalah dalah dalah dalah dalah dalah dalah dalah da Geografia		iarantor guarantees
to IEPA that in the event that Marathon Pe	troleum Company	i persona de la composición de la composición de la composición de la composición de la composición de la comp La composición de la	and Sandan Sandan (1995) Antonio	fails to perform
closure and post-closure care	of the above facility	2)		•
other permit or interim status requirements whenever				and the second second second second
Subpart H of 35 Illinois Administrative Code Parts 72 Company			n i kan di kapangan kalamban d u	4)
Administrative Code Parts 724 and 725.	he current closure and/o	r post-closure cost estima	ites as specified in Su	opart H of 35 Illinoi

This Agency is authorized to require this information under Illinois Revised Statutes, 1981. Chapter 111 1/2, Section 21(f). Disclosure of this information is required. Failure to do so may result in a civil penalty not to exceed \$25,000 per day of violation. Falsification of this information may constitute a Class 4 felony, which also carries a fine of up to \$25,000 per day of violation for the first offense. This form has been approved by the Forms Management Center.

5.	<u> </u>	that if, at the end of any fis				Marathon	neet the financial test Petroleum		
	criteria, guaranto	r shall send within 90 days,	by certified mail.	notice to the IEP.	A Director and to		(15)		
*	Company	that he intends	to provide alterna	te financial assur	ance as specified i	n Subpart H of	35 Illinois Administrative		
	Code Parts 724 au	Code Parts 724 and 725, as applicable, in the name of Marathon Petroleum Company							
						16)	Marathon		
	Petroleum	after the end of such fiscal y Company	ear, the guaranto	r shail establish s	ich inanciai assu	rance uniess	(17)		
6.	The guarantor ag Code, naming gua	rees to notify the IEPA Direction rantor as debtor, within 10 c	ctor by certified n days after comme	nail, of a voluntar	y or involuntary pocceeding.	roceeding under	Title 11 (Bankruptcy), U.S.		
7.	test criteria or th	that within 30 days after be at he is disallowed from con ified in Subpart H of 35 Illin	ntinuing as a guar	rantor of closure a	nd/or post-closure	care, he shall e	stablish alternate financial		
	Marathon Pe	troleum Company	unless _	Marathon P	etroleum Co	mpany			
	has done so.	(18)				(19)			
8.	and/or post-closus closure, or any oth 725.	to remain bound under this re plan, amendment or modif ner modification or alteration	ication of the perm of an obligation o	nit, the extension f the owner or oper	or reduction of the cator pursuant to 3	e time of perforn 5 Illinois Admin	nance of closure and/or post-		
9.	Guarantor agrees	to remain bound under this	guarantee for so	_{long as} _Marat	hon Petrole	um Company			
	must comply wit above listed facili	n the applicable financial as ties, except that guarantor m	surance requirem nay cancel this gua	ents of Subpart H trantee by sending	of 35 Illinois Adr notice by certified	ninistrative Cod mail to the IEP.	A Director, such cancellation		
	to become effecti	ve no earlier than 120 days a	after receipt of su	ch notice by both	IEPA and Mar	atnon Petr	O I EUM		
	Company	as evidenced	by the return rec	eipts.					
10.	Guarantor agrees	that if Marathon Pe	etroleum Com	npany			fails to provide alternate		
		ce as specified in Subpart H com the IEPA Director withi			tion by the guarai	ntor is received l	by the IEPA Director from		
	guarantor, guara	ntor shall provide such alter	native financial a	ssurance in the n	ame of <u>Marat</u>	<u>hon Petrol</u>	eum Company		
\$1.50 \ - 5	· <u>.</u>	· · · · · · · · · · · · · · · · · · ·		•			(23)		
11.	Guarantor expre	ssly waives notice of accepta	nce of this guaran	atee by the IEPA	Director or by	Marathon	Petroleum		
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U.S. EPA REGION V RCRA ENFORCEMENT SETTLEMENT CONFERENCE

MEETING ROSTER

SUBJEC	T ROCK =	ESCAND	REFINING	* in
DATE _	August	10,1	989	
PLACE	CHICAGO	, IL	REGION V	

PERSON	REPRESENTING	ADDRESS	TELEPHONE
Rick Hersemann	U.S. EPA	230 S. Dearborn, Chicago	(312) 886-7567
May Kadell	11 ORG	10	11 - 7948
Bill Lague	Morathon (Rak Sone)	5000 WRIT 86TK ST INDIANAPOLISION 46268-1601 539 SOUTH MAINST	(317) 872-3200
RON ANORS	MARATHON OIL CO	FINDLAY OHIO 1346 NORTH DELAWAREST	717 722 21-1 (7,4-5)
GEORGE PENDYGRAFT	PENDYGRAPT & PLOWS	INPIANAPOLIS IND	317 637 0700
Ned Seggi	Marathan Ostrolem	539 St. Main 5+ Findley, Ohis 45840	2)19-422-2121

SETTLEMENT CONFERENCE

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U.S. EPA REGION V RCRA ENFORCEMENT SETTLEMENT CONFERENCE

MEETING ROSTER

SUBJECT Rock Island Refining Corp Mar	athon Oil
DATE June 23, 1989	
PLACE Region V - Chicago, Illinois	

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PERSON	REPRESENTING	ADDRESS	TELEPHONE		
Rick Hersemann	U.S. EPA	230 S. Dearborn, Chicago, IL	(312) 886-7567		
Masc Radell	11 Asst Regional Counsel	The state of the s	" - 7948		
Ned Sepp:	Marathan Betrolana	Findle Ohio	415-422-2121		
RON ANDES	MARATHONULL	£1	(v		
Ned Sepp: RON ANDES BILL LAQUE	MARATHON PETROLEUM CO. INDIANA REFINING DIVISION	5000 W. 86th St INDIANAROLISIN 46868-1601	(317) 872 - 3200		
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U.S. EPA REGION V RCRA ENFORCEMENT SETTLEMENT CONFERENCE

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	-			

PLACE REGION V, CHICAGO, ILLINOIS

M			
PERSON	REPRESENTING	ADDRESS	TELEPHONE
Bick Hersemann	U.S. EPA	Chicago IL 60604	(312) 886-7567
Marc Radell	U.S. EPA, DRC	11	(3/2)886-7948
BILL LAQUE	Rock ISLAND	1000 W 86Th ST INDIANAPOLIS, IN 46268	(317 872-3200
George W Pendygot	Personatt & Pkers	INDIANAPONS TOND	317 6370700
SUE SHADLEY	Peranglast E' Plano	1346 N. Delaware 46202	317 637-0704
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U.S. EPA REGION V RCRA ENFORCEMENT SETTLEMENT CONFERENCE

MEETING ROSTER

SUBJECT Bock Island Refining Corp.	
DATE February 10, 1989	
PLACE Legion V, Chicago, Fllinois	

PERSON	REPRESENTING	ADDRESS	TELEPHONE
Bick Hersemann	U.S. EPA	230 S. Dearboin, Chicago A	2 (312) 886-7567
Mare Radell	coursel	11	(312)886-7948
Bill Lague	Roch Island Ref Cop	5000 W, 86 th St INDPLS Euroughage ? Flews 1346 n Delaware Indeportures 105 s. mendan	(317)872-3200
Sur Gradey	Rock bland	1346 n Delaware Irolato Kanz	(317)637-0704
Bob Malone (By Speaker Phone)	IDEM	Indianapolu, IN	(317) 232 - 3409
(By Speaker Phone)		/	

SETTLEMENT CONFERENCE

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U.S. EPA REGION V RCRA ENFORCEMENT SETTLEMENT CONFERENCE

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MEETING ROSTER

SUBJECT ROCK ISCAND REFINING	CORP	
DATE OCTOBER 21, 1988		
PLACE CHICAGO, ICCINOIS		

PERSON	REPRESENTING	ADDRESS	TELEPHONE
Rick Hersemann	U.S. EPA	230 S. Dearborn, Chrago	(312)886-7567
Marc Radell		230 S. Dearborn, Chicago	(312) 886-7948
Jame O'Connor	Rock Island Refining	5000 W-86 FM, Smyl	(31)) 872 - 3200
Bill LEQUE	Rock Island pel.	"	11
GEORGE PENDYGRAFT		PENDYGRAFT & PLEWS 1346 NORTH DELAWAREST INDIANA POLIS, IN 46202-2415	(717)-637-0707
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Findlay, Ohio 45840 Telephone 419/422-2121

August 3, 1989

Mr. Marc M. Radell, Esq.
Office of Regional Counsel (5CS-TUB-3)
U.S. EPA (Region 5)
230 South Dearborn St.
Chicago, IL 60604

REGEIVED
AUG 9 1989

OFFICE OF RCRA WASTE MANAGEMENT DIVISION EPA, REGION V

Indeo (akj.)

Re: In the Matter of Rock Island Refining Corporation; IND0006417430 (Docket Number V-W-88-R-038)

Dear Mr. Radell:

Enclosed, as per our telephone conversation today, are several EPA memoranda and letters clarifying the scope of the "wastewater treatment unit" permit exemption. I believe that the documents support our position that the Rock Island Refinery's API separaters, tanks, and vacuum filter are not RCRA facilities.

Sincerely,

Ronald L. Attorney

RLA/dkj

Enclosures

cc: Rich Herseman

U.S. EPA

RCRA Enforcement Branch

(5HR-12)

230 S. Dearborn St. Chicago, IL 60604

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(13 V 13 3 3 4)

OFFICE OF RURA WASTE MANAGEMENT SINESN 17A, REGION V



UNITED _ . A 25 ENVIRONMENTAL PROTECTION AGENCY WASHINGTON, D.C. 20460

DECEMBED

W# 115 MAINAGEMENT PROGRAM

JAN 21985

OFFICE OF
SOLIO WASTE AND EMERGENCY RESPONSE

C. T. Philipp, P.E. President Water Management, Incorporated 2300 Highway 70 East Hot Springs, Arkansas 71901

B,

Dear Mr. Philipp:

In your letter of December 5, 1985 you requested that the Agency identify the Resource Conservation and Recovery Act (RCRA) status of sludge dryers that are part of a "conventional treatment system" not regulated by RCRA. You questioned whether adding a sludge dryer to a wastewater treatment unit exempted from RCRA permitting will jeopardize the exemption. The RCRA—Superfund Hotline correctly identified sludge drying for you as a treatment process according to the definition of treatment in 40 CFR \$260.10. However, when sludge dryers meet the definition of wastewater treatment units, they qualify for the wastewater treatment exemption of \$\$264.1(g)(6), 265.1(c)(10), and 270.1(c)(2)(v). In your case, adding a sludge dryer to treat sludge generated by a treatment system operating under a wastewater treatment exemption does not subject the treatment system to RCRA permitting.

As you know, sludge dryers must meet the three criteria in the definition of wastewater treatment unit in order to be part of a wastewater treatment exclusion. First, the information you sent shows that your sludge dryer qualifies as a tank as defined in \$260.10; that is, it is designed to contain hazardous waste and is constructed primarily of nonearthen materials that provide structural support. Furthermore, the Agency has clarified the definition of tank—for this exemption—to include unit operations such as presses, filters, sumps, and many other types of processing equipment. (See the attached memorandum dated July 31, 1981, from John Lehman to Region I.) In addition, the preamble of the November 17, 1980, proposed rule (45 FR 76077—76078) clarified the definition of a wastewater treatment unit as follows:

This definition...covers...the sludge digesters, thickeners, dryers and other sludge processing tanks... in which hazardous wastewater treatment sludge is treated; and any...tanks used for the storage of such sludge.

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en de la composition de la composition de la composition de la composition de la composition de la composition La composition de la composition de la composition de la composition de la composition de la composition de la La composition de la composition de la composition de la composition de la composition de la composition de la Second, the sludge dryer treats or stores a wastewater treatment sludge which is a hazardous waste as defined in §261.3 (i.e., the sludge itself is a listed waste, derived from treatment of a listed waste, or is hazardous on the basis of characteristics identified in \$261 Subpart C). This means that the treatment of sludges generated from wastewater treatment units is also exempt from regulation under the RCRA treatment standards.

Tanks (here a sludge dryer) that do not themselves have any discharge subject to regulation under Sections 402 or 307(b) of the Clean Water Act, but that are part of the wastewater treatment system, qualify for the exemption if other tanks in the treatment train have discharges that are subject to these Clean Water Act provisions. So the third condition, being part of a wastewater treatment unit subject to regulation under Section 402 or 307(b) of the Clean Water Act, can be met by sludge dryers in certain circumstances. However, as the November 17, 1980 preamble stated (45 FR 76077), even the proposed regulations.... may not provide adequate environmental protection where treatment of the hazardous wastewater tends to result in the escape of hazardous waste constituents into the atmosphere (e.g., the treatment of highly toxic volatile wastes in open tanks). Unless the Administrator promulgates regulations covering wastewater treatment units, wastewater treatment tanks that qualify for exemption under current RCRA standards may volatilize their contents and retain the exemption.

Sludge dryers may be used as part of a program to meet the waste minimization requirements of Section 3002(b) of RCRA without requiring permitting if the above conditions are met. Of course, although exempted from permitting requirements in the wastewater treatment units, any hazardous waste sludge that is removed from the tanks is subject to applicable regulations under \$\$260-266, such as manifesting off site, permitted storage after 90 days, and so on. If you have any additional questions regarding this exemption for wastewater treatment units, please do not hesitate to call Irene Horner at 202-382-7917.

Sincerely yours,

J-J. Winston Forter Assistant Administrator

Enclosure

DEC 24 535

OSI.ER Directive # 9503.51-14(85)

MEMORANDUM

SUBJECT: RD&D Permit for a Sludge Drying Process in a Wastewater

System

Marcu Will Marcia E. Williams, Director FROM:

Office of Solid Waste (WH-562)

TO: Allyn M. Davis, Director

Hazardous Waste Management Division (6H)

Region VI

In your letter of November 15, 1985, you requested written confirmation that the use of a sludge drying unit, manufactured by Water Management, Inc., at facilities with a wastewater treatment unit, would not jeopardize their exemption from RCRA permitting. The sludge dryer is intended to further reduce the volume of sludge requiring disposal.

If the sludge drying unit is a tank, as stated in your letter, then persons who are currently exempt from RCRA permit requirements under 40 CPR \$270.1(c)(2)(v) because they have a wastewater treatment unit, will continue to be exempt from RCRA permitting if they use this sludge dryer. The Agency has clarified the definition of "tank", for the purposes of the wastewater treatment unit definition in \$260.10, to cover unit operations which are not obviously tanks such as presses, filters, sumps, and many other types of processing equipment. (See attached memorandum dated July 31, 1981 from John Lehman to Richard Boynton, "Suspension of Regulations for Wastewater Treatment Units.")

I understand that the intent of the sludge dryer is to assist metal finishing industries, who have wastewater treatment units, to meet the waste minimization requirements of the new RCRA \$3002(b). You should advise Water Management, Inc. that although their potential clients will continue to be exempt from RCRA permit requirements, their clients must comply with the RCRA manifest requirements of 40 CFR Part 262 for generators. Also, they must comply with 40 CFR Parts 261-263, as appropriate. The clients will need to sign the RCRA manifest for off-site shipments of the residue resulting from the use of the sludge dryer, including the wasteminimization certification statement on the revised Uniform Hazardous Waste Manifest Form (see 50 FR 28744-46, July 15, 1985).

2

The client must also submit a biennial report to the Regional Administrator which includes a description of the efforts undertaken to reside the volume and toxicity, as well as a description of the chall in volume and toxicity of the wastewater actually achieved during the year, by comparing it to previous years (5262.41, 50 FR 28746, July 15, 1985).

Since the sludge drying unit is intended for use by persons with wastewater treatment units, and the facilities with these units are exempt from RCRA permitting, it is unclear why Water Management, Inc. wants a research, development, and demonstration permit to test the unit. You should discuss this issue with Water Management, Inc. to determine if you should spend the resources on processing their permit application.

If your staff has any further questions on this matter, please have them contact Nancy Pomerleau at (PTS) 382-4500.

Attachment

cc: Bruce Weddle
Jack Lehman (WH-565)
Irene Horner (WH-565A)
Ken Gray (LE-132S)
Peter Guerrero
Art Glazer
Nancy Pomerleau
Tina Parker (WH-562)
William Rhea, Region 6
Hazardous Waste Division Directors, Regions I-X



MAY 22 1984

MEMORANDUM

SUBJECT: Definition of "Wastewater Treatment Unit"

PROM: Donald C. White, P.E.,

Program Manager, Treatment Alternatives Program

Waste Treatment Branch (WH-565A)

Tu: Jonathan Josephs, Chemical Engineer

New York Hazardous Waste Section, RD (2AWM-SW)

This memo is written in response to our telephone conversations, and your subsequent memo dated March 20, 1984, about the tank that is used to store a wastewater treatment sludge from leachate at the Love Canal site. I regret the delay in responding to your request for clarification of the eligibility of this tank for the "wastewater treatment exemption" under RCRA. As you must realize, it was essential to formulate a definitive answer and to obtain concurrence within OSWER and OGC on this matter.

According to Sections 264.1(g)(6) and 265.1(c)(10) of Title 40 of the CFR, the RCRA requirements of Parts 264 and 265 "do not apply to the owner or operator of an elementary neutralization unit or a wastewater treatment unit as defined in Section 260.10 of this Chapter." The unit in question would have to meet the definition of a wastewater treatment unit as specified in Section 260.10. According to this definition, a device is a wastewater treatment unit if it meets three requirements. For the tank in question, the relevant parts of these requirements are:

- (1) It must be part of a wastewater treatment facility that is subject to regulation under Section 402 or Section 307(b) of the Clean Water Act;
- (2) It must....generate and accumulate....or treat or store a wastewater treatment sludge that is a hazardous waste; and
- (3) It must meet the definition of a tank.

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The definition or "wastewater treatment unit" has been interpreted to cover wastewater treatment systems which (1) produce a treated wastewater effluent that is discharged into surface waters or into a POTW sewer system, and that is therefore subject to the NPDES or pretreatment requirements of the Clean Water Act, or (2) produce no effluent as a direct result of such requirements. Therefore, a tank that is a wastewater treatment unit that does not discharge an effluent is eligible for the wastewater treatment exemption since if an an effluent were discharged, it would be subject to regulation under the Clean Water Act.

It is my conclusion, therefore, that the tank in question ——as described in our telephone conservations and in your memo of March 20, 1984 ——is indeed a wastewater treatment unit according to the definition in Section 260.10, and that it qualifies for the "wastewater treatment exemption" of Sections 264.1(g)(6) and 265.1(c)(10). This conclusion has been supported by discussions within OSWER and with OGC.

cc: Alfred Lindsey (WH-5654)
Mark Greenwood (LE-1325)
Kenneth Gray (LE-132A)
John Thompson (RCRA Hotline)

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OFFICE OF

SQLIG WASTE AND EMERGENCY RESPONSE

Richard C. Beynton, Chief Permits Development Section U.S. Environmental Protection Agency John F. Kennedy Building Beston, Massachusetts 02203 E,

Re: Suspension of Regulations for Westereter Treatment Daits

Dear Mr. Boyston:

This letter responds to your recent request for an interpretation of the regulations of November 17, 1980 (45 FR 76074) which suspended certain requires of the hazardous wasta regulations for owners and operators of wastawater ment units where such facilities are subject to regulation under Section 402 .07(b) of the Clear Water Act.

Tour letter is correct in stating that there is nothing in the definitions, presable, or regulations which precludes an off-site hexardous waste management facility from qualifying for a suspension of the hexardous waste requirements in 40 CTR Parts 122, 264 and 265. The Agency considered limiting the suspension and proposed amendments to on-site facilities but was unable to justify that this type of facility was inherently less hexardous than an off-site facility so as to necessitate different standards. Accordingly, IPA does not intend to distinguish between on-site and off-site facilities in this regulation.

Even under the terms of the suspension, hazardous wasta shipped to an offsite facility will, of course, be subject to the manifest requirements. In addition, the treatment facility must be subject to regulation under either Section 402 or 307(b) of the Class Water Act.

To be completely exampted for now (and ultimately subjected to the permit by rule) all units in a facility must meet the definition of "tank" in \$260.10. Lagoons, incinerators, and other types of facilities are not eligible. It is, however, true that the definition of "tank" is rather broad, covering unit operations which are not ebviously tanks such as presses, filters, sumps, and many other types of presessing equipment.

The Agency also intends that the phrase "subject to regulation under either Section 402 or 307(b) of the Class Vater Act" should be given a broad interpretation. This phrase includes all facilities that are subject to applif permits and encompasses facilities subject to either categorical pretramment standards or general pretreatment standards. It is not necessary that the permits actually be instone. It is sufficient that the facility be subject to the requirements of the Class Vater Act.

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It should be set that aligible facilities mus in fact be treating "westanders" and not commented at chemicals or non equators of iss. While we have not promulgated a formal definition, we are interpreting the term to refer to wastes which are substantially water with contaminants amounting to a few percent at most. It has been suggested that a formal definition would be helpful. We are considering adding such a definition to the final promulgation.

Public comments on the November 17, 1980 proposal also noted that some wastewater treatment units do not discharge a liquid strame and thus are not subject to the Clean Veter Act. [24 is considering changing this "subject to" language to include such tero discharge incilities.] We expect to finalise the proposed regulations for wastewater treatment units and alementary neutralization units within the next few months.

If you have any further questions, please do not hesitate to call me or Fractioner, the Deputy Division Director at FTS 755-3135.

Sincerely yours,

Gobie V. Vehrum

John P. Lehman, Director

Maxardous & Industrial Wasta Division

cc: Dennis Heubner EPA, Region I

> Ernast lagna LPA lagion II

Robert L. Allen

James Scarbrough EPA Region IV

Karl J. Klapitsch LTA Region V R. Stan Jorgensen EPA Region VI

Robert L. Morby TPA Region VII

Lawrence ?. Gazda IPA lagion VIII

Arnold 2. Den IPA legion II

Renneth D. Teigner : EPA Region I

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FEB 28 1989

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. William Laque Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indiana 46268

> Re: Land Disposal Restriction Rock Island Refining Corporation Indianapolis, Indiana IND 006 417 430

Dear Mr. Laque:

On December 19, 1988, an inspection was conducted at your facility located at 5000 West 86th Street in Indianapolis, Indiana. This inspection was performed by a member of the Indiana Department of Environmental Management (IDEM) as an authorized representative of the United States Environmental Protection Agency (U.S. EPA). The purpose of the inspection was to evaluate the compliance of your facility with the F-Solvent, California List, and First Third Land Disposal Restriction requirements of Subtitle C of the Resource Conservation and Recovery Act (RCRA) of 1976, as amended.

As a result of the inspection, it has been determined that your facility is in compliance with these specific regulations. Compliance with this portion of RCRA does not limit the applicability of other provisions of RCRA regulations.

Please contact Mr. Rick Hersemann of my staff at (312) 886-7567, if you have any questions.

Sincerely yours,

Joseph M. Boyle, Chief IL/IN Technical Enforcement Section

cc: Jim Hunt, IDEM Dennis Zawodni, IDEM

5HR-12 Rick: 1r: 2/27/89: Laque

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R, Hersemann: 5HR-12; USEPA, 230 S. Dearborn, Chgo, IL. 60 Corp. RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL CAR Registrated Refining (5000 West 86th Street Indianapolisse Indiana (See Reverse) Mr. William Laque n.D 40 9 Return Receipt showing to whe Date, and Address of Delivery Return Receipt showing to whom and Date Delivered 46268 nu Restricted Delivery Fee 3 Special Delivery Fee OTAL Postage and Q. Postmark or Date Certified Fee PS Form 3800, June 1985

UNITED STATES POSTAL SERVICE OFFICIAL BUSINESS

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- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.





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TO



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Mr. Rick Hersemann (5HR-12)

UNITED STATES OF AMERICA ENVIRONMENTAL PROTECTION AGENCY 230 S. DEARBORN CHICAGO IL 60604

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Mr. William Laque Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indaina 46268	4. Article Number P 962 886 952 Type of Service: Registered COD Express Mell Return Receipt for Merchandise Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature – Address X	8. Addressee's Address (ONLY if requested and fee paid)

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Endorse article "Return Receipt Requested" adjacent to number.





PENALTY FOR PRIVATE USE, \$300

RETURN TO



Print Sender's name, address, and ZIP Code in the space below.

Mr. Rick Hersemann (5HR-12)

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UNITED STATES OF AMERICA ENVIRONMENTAL PROTECTION AGENCY 230 S. DEARBORN CHICAGO IL 60604

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George W. Pendygraft, Esq. Pendygraft & Plews 1346 North Delaware Street	Type of Service: Registered Insured Cortified CoD Express Mail Return Receipt for Merchandise
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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

REPLY TO THE ATTENTION OF: 5CS-TUB-3

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

George W. Pendygraft, Esq. Pendygraft & Plews 1346 North Delaware Street Indianapolis, Indiana 46202-2415

> Re: Consent Agreement and Final Order Rock Island Refining Corporation

Docket No. V-W-88-R-038

Dear Mr. Pendygraft:

I have enclosed herewith a draft Consent Agreement and Final Order (CAFO) which you requested at your February 22, 1989, informal settlement conference. The format of the draft CAFO outlines the United States Environmental Protection Agency's (U.S. EPA) position in the above referenced matter and serves as a starting point in negotiating a final CAFO. The U.S. EPA looks forward to your response to the draft CAFO and the submittal of any documentation which indicates compliance with the order therein.

Sincerely yours,

Marc M. Vad

Marc M. Radell

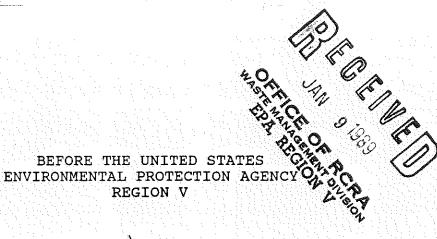
Assistant Regional Counsel

Enclosure

cc: William Laque, Rock Island Refining Corporation

Dennis Zawodni, IDEM

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IN THE MATTER OF:

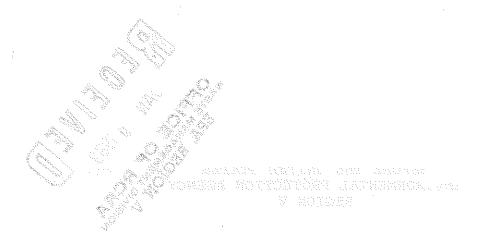
ROCK ISLAND REFINING CORPORATION, 5000 W. 86TH STREET INDIANAPOLIS, IN 46268 IND 006417430

DOCKET NO. V-W-88R-U38

MOTION FOR EXTENSION OF TIME

Respondent Rock Island Refinery Corporation, Inc. ("Rock Island") respectfully requests that the Administrative Law Judge extend the time allowed for the filing of witness and exhibit lists, and views as to where the hearing shall be held, by fourteen (14) days, to and including January 19, 1989, on the grounds that:

- 1. The parties believe that a settlement is possible. The next settlement conference is scheduled for January 19, 1989.
- 2. A death in the family the senior attorney representing Respondent in this case occurred on January 3, 1989, and as a result Respondent has had insufficient time to prepare the Witness and Exhibits Lists.
- 3. Allowing additional time will serve to create a more efficient litigation, should a hearing be necessary.
 - 4. Respondent has conferred with counsel for the



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Petitioner on this Motion and Petitioner does not object.

Respectfully submitted,

PENDYGRAFT & PLEWS

By Weorge fr. Pendygraft by Sas/ George W. Pendygraft

George W. Pendygraft George M. Plews Sue A. Shadley 1346 North Delaware Street Indianapolis, IN 46202 (317) 637-0700

Attorneys for respondent Rock Island Refining Corporation

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by placing a copy of same in the United States mail, postage prepaid, this $5^{\prime\prime}$ day of January, 1989 addressed to the following parties:

Ms. Beverly Shorty Regional Hearing Clerk (5MF-14) United States Environmental Protection Agency 230 South Dearborn Street Chicago, Illinois 60604

Marc M. Radell, Esq.
Office of Regional Counsel (5CS-TUB-3)
United States Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

Rick Hersemann
Waste Management Division
United States Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

Ju a. Stadley

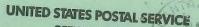
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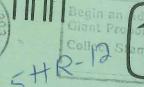
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Attach to front of article if space permits, otherwise affix to back of article.

Endorse article "Return Receipt Requested" adjacent to number.

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U.S. Environmental Protection Agency Region V 230 South Dearborn Chicago, Illinois 60604

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PENDYGRAFT & PLEWS

1346 NORTH DELAWARE STREET

INDIANAPOLIS, INDIANA 46202-2415

317-637-0700 FAX 317-637-0710

OFFICE OF RCRA Waste Management Division

U.S. EPA, REGION V

SUE A. SHADLEY 317-637-0704

December 22, 1988

The Honorable Thomas B. Yost U.S. Environmental Protection Agency 345 Courtland Street Atlanta, GA 30365

Rock Island Refining Corporation,

Docket No. V-W-88-038: Motion to Extend Time

Dear Judge Yost:

By this letter, I am confirming our conversations of December 22, 1988 concerning our Motion To Extend Time in which to file Witness and Exhibit Lists, and views as to where the hearing It is our understanding that you will grant this shall be held. Motion upon receipt in written form, pursuant to §22-16 of the Consolidated Rules of Practice. We further understand that this Motion can be filed by U.S. Mail, and that you will consider the Motion as being timely filed.

Thank you for your consideration in this matter.

Sincerely,

JC/mtb

Enclosures

CC: George Pendygraft Jeff Claflin Ms. Beverly Shorty Marc M. Radell, Esq. Rick Hersemann

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BEFORE THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

IN THE MATTER OF:	
ROCK ISLAND REFINING	
CORPORATION,) DOCKET NO. V-W-88R-U38
5000 W. 86TH STREET	
INDIANAPOLIS, IN 46268	S Comment of the comm
IND 006417430) DEC 22, 1988

MOTION FOR EXTENSION OF TIME

Respondent Rock Island Refinery Corporation, Inc. ("Rock Island") respectfully requests that the Administrative Law Judge extend the time allowed for the filing of witness and exhibit lists, and views as to where the hearing shall be held, by fourteen (14) days, to and including January 5, 1989, on the grounds that:

- The parties believe that a settlement is possible.
 The next settlement conference is scheduled for January 5, 1989.
- 2. The senior attorney representing Respondent in this case is involved in a trial before the Northern District Court of Indiana (such trial having run from December 5 through December 16, and scheduled to begin again December 27) and has had insufficient time to prepare the Witness and Exhibits Lists.
- 3. Allowing additional time will serve to create a more efficient litigation, should a hearing be necessary.

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Respectfully submitted,

PENDYGRAFT & PLEWS

George W. Pendygraft

George W. Pendygraft George M. Plews Sue A. Shadley 1346 North Delaware Street Indianapolis, IN 46202 (317) 637-0700

Attorneys for respondent Rock Island Refining Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by placing a copy of same in the United States mail, postage prepaid, this 22 day of Reconcert 1988 addressed to the following parties:

Ms. Beverly Shorty Regional Hearing Clerk (5MF-14) United States Environmental Protection Agency 230 South Dearborn Street Chicago, Illinois 60604

Marc M. Radell, Esq.
Office of Regional Counsel (5CS-TUB-3)
United States Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

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Waste Management Division
United States Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

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BEFORE THE UNITED STATES

ENVIRONMENTAL PROTECTION AGENCY REGION V IN THE MATTER OF: ROCK ISLAND REFINING CORPORATION, DOCKET NO. V-W-88R-U38 5000 W. 86TH STREET INDIANAPOLIS, IN 46268 IND 006417430

ANSWER OF RESPONDENT ROCK ISLAND REFINING CORPORATION AND REQUEST FOR HEARING

Respondent, Rock Island Refining Corporation (Rock Island), answers the Complaint, Findings of Violation Compliance Order of the United States Environmental Protection Agency ("EPA") as follows:

First Defense

Rock Island admits that it is a person as defined 1. by Section 1004(15) of the Resource Conservation and Recovery Act ("RCRA"), 42 U.S.C. §6903(15), and 320 IAC 4.1-1-7, and further admits that it owns and operates a petroleum refinery at 5000 West 86th Street, Indianapolis, Indiana, which generates hazardous Rock Island denies that it has disposed, or now disposes of, RCRA hazardous waste at its refinery. Further, because representatives of the Indiana Department of Environmental Management ("IDEM") have informed Rock Island that its treatment and storage facilities are excluded RCRA units and not subject to the RCRA hazardous waste requirements, Rock Island denies that it has treated or stored, or now treats or stores, RCRA hazardous waste at its refinery. Rock Island does admit that it is an

Indiana corporation whose registered agent is William E. Huff, 5000 West 86th Street, Indianapolis, Indiana 46268.

- 2-5. Rock Island admits the contentions in these paragraphs of the Findings of Violation only to the extent that they properly state the applicable Indiana law.
- Rock Island admits that it timely notified EPA of activities at its refinery that might be considered to be subject to RCRA, but Rock Island denies that it treats, stores or disposes of RCRA hazardous waste at the refinery. See answer to paragraph 1 of the Findings of Violation. Rock Island also admits that a Part A application was submitted for a RCRA permit in connection with its refinery on or about November 18, 1980, and that the Part A application submitted on or about that date identified hazardous waste management processes at the refinery as consisting of storage in tanks, disposal in land application areas, treatment in tanks, treatment by incineration and treatment by use of vacuum filtration. Rock Island specifically denies, however, that it has operated at the refinery a RCRA land application disposal unit or owned or operated an incinerator subject to the RCRA requirements and further states that it has been informed, and believes itself, that the storage and treatment units at its refinery are excluded from regulation under RCRA. See answer to paragraph 1 of the Findings of Violation.
- (a) Rock Island admits that it generates slop oil emulsion solids from its petroleum operations that are characterized as listed hazardous waste K049, but denies that it

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treats, stores or disposes of such hazardous waste at the refinery.

- (b) Rock Island admits that from time to time heat exchanger bundle cleaning sludge characterized as hazardous waste K050 is removed from facilities at the refinery, but denies that such hazardous wastes are subject to the RCRA requirements as they are specifically excluded from regulation.
- (c) Rock Island admits that it generates API separator sludge characterized as listed hazardous waste K051 at the refinery, but denies that it stores, treats or disposes of such sludge there and, further, states that it has not disposed of such sludge in land application areas at the refinery. Rock Island is not properly considered a storer or treater of hazardous waste.

 See answer to paragraph 1 of the Findings of Violation.
- (d) Rock Island admits that tank bottoms characterized upon removal from tanks as listed hazardous waste K052 may exist in tanks at the refinery but states that such tank bottoms, upon removal from tanks, have not been stored, treated or disposed of on-site but have been transported offsite for disposal at a RCRA disposal facility.
- 7. Rock Island admits that it sought interim status for hazardous waste tank storage, land application areas and treatment processes at the refinery, but states that it never operated any such land application unit on or after November 19, 1980. In addition, Rock Island has been informed by IDEM representatives that the storage and treatment units at the refinery are excluded from regulation under the RCRA requirements.

Rock Island admits that its Part A application, submitted on or about November 19, 1980, did describe the existence of two surface impoundments at the refinery referred to generally as basic sediments and water ponds ("BS&W ponds"). Rock Island denies that the Part A application reported materials in the BS&W ponds to include one or more of the specifically listed hazardous wastes, K049, K050, K051 and K052. Rock Island did state in the Part A application that it had no documentation to support that any such listed hazardous waste had been placed in those BS&W ponds. Rock Island further stated, however, that it could not rule out the possibility that de minimis quantities of such materials could have been placed in the BS&W ponds prior to November 19, 1980. No RCRA hazardous waste materials were placed in the BS&W ponds on or after November 19, 1980, and the materials in the BS&W ponds, upon testing, were not found to be characteristically hazardous wastes (40 CFR, Part 261, Subpart C). On the basis of these facts, Rock Island denies that the BS&W ponds are hazardous waste facilities by application of 320 IAC 4.1-3-3(a)(2)(iv).

Rock Island did not include a process code for the BS&W ponds in its Part A application as none was required. Furthermore, Rock Island contends that it did not store or treat hazardous waste in the BS&W ponds on or after November 19, 1980, inasmuch as no hazardous wastes were placed in the BS&W ponds on or before November 19, 1980, and no such wastes were placed therein after that date. Rock Island admits that the BS&W pond materials were removed on or after November 19, 1980 and were placed on tank dike

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bottoms in accordance with construction and operating permits issued by IDEM or its predecessor.

- 9-10. Rock Island admits paragraphs 9 and 10 of the Findings of Violation.
- storage tanks, process water and oil-laden waters (slop oil emulsions) at the refinery are collected and conveyed by the refinery's oily water sewer system to two API separators, where the incoming oily materials by physical means are separated into oil, water and sludge. Rock Island also admits that the oil is pumped to oil recovery units and then is recovered in a crude oil unit. Rock Island further admits that the non-RCRA hazardous wastewater from the API separators is pumped to a series of six aeration ponds where it is treated and discharged. Rock Island denies that the aeration ponds are unlined because the ponds do have in-situ clay liners, and Rock Island further denies that the discharge from the aeration ponds is made pursuant to an NPDES permit, inasmuch as the discharge is made to the sewer system for the City of Indianapolis, Indiana.
- 12. Rock Island admits that API separator sludge (K051) and slop oil emulsion solids (K049) removed from the refinery's API separators are conveyed to the vacuum filtration system (Oliver Vacuum Filter) where the volume of sludge is reduced concomitant to a beneficial reclamation of oil from that sludge material. Rock Island also admits that the Oliver Vacuum Filter generates a filter cake which was the subject of a delisting petition filed by Rock

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Island, and further states that such filter cake was granted a temporary delisting which EPA itself has admitted to be effective through November 8, 1986. Rock Island has filed a petition with EPA seeking review with respect to that delisting petition, but to date has been afforded neither notice nor opportunity for hearing with respect to the matter.

Rock Island admits that, as a result of the beneficial reclamation of the oil from the API separator sludge and slop oil emulsions, wastewater generated in the Oliver Vacuum Filter is returned to the refinery's wastewater sewer system. Oil beneficially reclaimed from the Oliver Vacuum Filter is returned for further processing at the refinery. Based on the above facts, Rock Island specifically denies that the liquid waste generated by the Oliver Vacuum Filter is a hazardous waste by application of 320 IAC 4.1-3-3(c)(2)(i).

- 13. Rock Island admits that the liquid wastewater generated from the Oliver Vacuum Filter is pumped back to the refinery's wastewater sewer system and ultimately enters the API wastewater treatment separators at the refinery for further treatment. Rock Island denies that all materials treated in the API separators are hazardous wastes by application of 320 IAC 4.1-3-3(b)(2).
- 14. Rock Island denies that the water generated in the API separators is a hazardous waste by application of 320 IAC 4.1-3-3(b)(2). Rock Island further denies that the six aeration ponds, which treat wastewaters discharged from the API separators,

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- 15. Rock Island admits that it did not seek interim status for operation of the BS&W ponds or the aeration ponds as hazardous waste surface impoundments because the BS&W and aeration ponds are not and have not been operated as hazardous waste surface impoundments and have not received RCRA hazardous waste subjecting those facilities to the RCRA hazardous waste management program requirements.
- application for a RCRA permit on or about February 28, 1985 for certain units at the refinery, and that the Part B application described a storage of hazardous waste in tanks and the treatment of hazardous waste in tanks and the Oliver Vacuum Filter. Notwithstanding, as discussed above, Rock Island has been informed by IDEM representatives, and now believes, that such storage and treatment facilities are not subject to the RCRA hazardous waste management program requirements.

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Rock Island admits that the Part B application it submitted on or about February 28, 1985 did not describe the BS&W ponds, the aeration ponds, the land application areas or any waste piles. Nonetheless, Rock Island contended then, and contends now, that any such facilities had not received RCRA hazardous waste and subject to the RCRA hazardous waste not are Rock Island admits that it received notification requirements. from EPA as to certain deficiencies alleged with respect to its Part B application submission, including deficiencies alleged regarding the aeration ponds, BS&W ponds and land application areas.

- 4.1-20-5 requires the owners and operators of surface impoundments and land application areas that are used to manage RCRA hazardous wastes to implement a groundwater monitoring program. Rock Island states that the aeration ponds, BS&W ponds and land application areas are not subject to the RCRA hazardous waste management requirements and, thus, no groundwater monitoring program is required for the aeration ponds, BS&W ponds and land application areas. Notwithstanding, and without waiver of any of its legal rights, including defenses to this action, Rock Island states that it has implemented a groundwater monitoring program, while not required to do so, that complies with the requirements of 320 IAC 4.1-20-1 through 4.1-20-5.
- 18. Rock Island admits paragraph 18 of the Findings of Violation.

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19. Rock Island admits that it has not submitted a Part B permit application to EPA for the aeration ponds, the BS&W ponds or the land application areas because such facilities are not subject to the RCRA hazardous waste management requirements. Rock Island also admits that it has not certified compliance with applicable groundwater monitoring and financial responsibility requirements by November 8, 1985 for such aeration ponds, BS&W ponds or land application areas because such facilities are not subject to the RCRA hazardous waste management requirements.

Rock Island further admits that it has not obtained interim status for any RCRA land application areas at the refinery and states that no RCRA hazardous waste has been land applied at the refinery. To the best of Rock Island's knowledge, to date it has not been issued a final effective RCRA permit for any of its hazardous waste treatment or storage operations, and has not sought a final RCRA permit for any disposal operation as there is no such facility at the refinery.

20. Rock Island admits paragraph 20 of the Findings of Violation, but states that subsequently in a later correspondence, EPA informed Rock Island that its delisting petition continued in effect through November 8, 1986. As discussed above, despite its request for a hearing in connection with the failure of the EPA to grant a final permanent delisting for the vacuum filter cake, to date Rock Island has received no notice of or opportunity for hearing with respect to that petition.

- Rock Island admits that its delisting petition for the vacuum filter cake waste was not acted upon finally by EPA by November 8, 1986. Rock Island denies that pursuant §3001(f)(2)(B) of RCRA, 42 U.S.C. §6921(f)(2)(B), that its informal exclusion for the vacuum filter cake waste ceased to be in effect on November 8, 1986. EPA's refusal to provide Rock Island a notice of and opportunity for hearing on the EPA's decision not to issue Rock Island's informal delisting as a permanent delisting is a denial of Rock Island's due process and, further, is action by EPA that is arbitrary, capricious and otherwise not in accordance with the law. While Rock Island has managed its vacuum filter cake as a RCRA hazardous waste on or after November 8, 1986, and even before that date, Rock Island states that its vacuum filter waste was and is entitled to a finding by EPA that the material is properly permanently delisted and, accordingly, is not a hazardous waste as defined by 320 IAC 4.1-3-3(c)(2)(i). Because Rock Island was and is entitled to a permanent delisting with respect to its vacuum filter cake and because the storage and treatment facilities at the refinery are excluded from the RCRA hazardous waste management requirements, Rock Island is not subject to the applicable interim status standards as contained in 320 IAC 4.1-1 through 32 for the BS&W ponds, the aeration ponds and the land application areas.
- 22. Rock Island admits that on or about January 29-30, 1985, the Indiana State Board of Health, IDEM's predecessor, conducted a compliance evaluation inspection of the refinery. Rock

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en de la companya de la companya de la companya de la companya de la companya de la companya de la companya de La companya de la companya de la companya de la companya de la companya de la companya de la companya de la co Island further admits that as a result of that inspection various violations were asserted, including: the failure to include in the waste analysis plan parameters, test methods and sampling methods as required by 320 IAC 4.1-16-4; the failure to maintain an inspection log, as required by 320 IAC 4.1-16-6; the failure to include in the personnel training records all facility personnel, job titles, job descriptions, and documentation of training, as required by 320 IAC 4.1-16-7; and the failure to maintain an operating record, as required by 320 IAC 4.1-19-4. Rock Island denies each and every one of the alleged violations, and further states it has been afforded neither notice nor opportunity for hearing with respect to those matters.

23. Rock Island admits that on or about April 29, 1986, IDEM representatives conducted a compliance evaluation inspection of its facilities, and as a result of such inspection, certain violations were alleged, including: failure to have interim status or a permit to receive Stoddard Solvent waste from offsite (Aratex and Means Services), as required by 320 IAC 4.1-38-2; failure to address in the inspection schedule the inspection of the Oliver storage tank, surface impoundments and the land application areas, as required by 320 IAC 4.1-16-6; failure to maintain an inspection log, as required by 320 IAC 4.1-16-6; failure to include in the personnel training records a description of introductory and continuing training for each job, as required by 320 IAC 4.1-16-7; failure to include in the operating record the location and quantity of hazardous waste within the facility and the methods and

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dates of treatment, storage or disposal for hazardous waste, as required by 320 IAC 4.1-19-4; failure to maintain and operate the Oliver storage tank containment area to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, as required by 320 IAC 4.1-17-2; failure to implement a groundwater monitoring system for the hazardous waste surface impoundments, as required by 320 IAC 4.1-20-1; failure of manifests to contain five-digit document numbers and generator identification numbers, as required by 320 IAC 4.1-8-1; and failure to file exception reports for manifests (June 12, 1985), to Adams Center (#00009) and October 8, 1985 to Safety Kleen (#1352517267), which did have returned treatment storage and disposal signed copies, as required by 320 IAC 4.1-10-3. Rock Island denies each and every one of the alleged violations and further states it has been afforded neither notice nor opportunity for hearing with respect to those matters.

24. Rock Island admits that on or about February 10, 1987, IDEM issued a letter of warning asserting the following violations: failure to adjust the closure cost estimate for inflation, as required by 320 IAC 4.1-22-3; failure to adjust the post-closure cost estimate for inflation, as required by 320 IAC 4.1-22-13; and failure to maintain liability insurance coverage for sudden and non-sudden accidental occurrences, as required by 320 IAC 4.1-22-24.

Rock Island states that it is not subject to any such requirements as it does not operate, and has not operated, any

hazardous waste disposal unit at the refinery.

Rock Island denies each and every one of the alleged violations and further states that it has been afforded neither notice nor opportunity for hearing with respect to such matters.

Rock Island admits that on or about March 19, 1987, IDEM conducted a compliance evaluation inspection of the refinery, and as a result of that inspection, certain violations were alleged, including: failure to address in the inspection schedule the inspection of safety and emergency equipment, security devices, operating instructional equipment, dike around the Oliver tank, structure of Oliver tank, structure of oscillator tank, and areas subject to spills, as required by 320 IAC 4.1-16-6; failure to include in the inspection schedule free board inspections for tanks without dikes, as required by 320 IAC 4.1-24-4; failure to include in the personnel training records all facility personnel, job titles, job descriptions and documentation of training, as required by 320 IAC 4.1-16-7; failure to address in the contingency plan evacuation of employees, as required by 320 IAC 4.1-18-3; failure to maintain and operate the Oliver storage tank containment area and the oscillator tank to minimize the possibility of any sudden or non-sudden releases of hazardous waste or hazardous waste constituents to the air, soil or surface water, as required by 320 IAC 4.1-17-2; failure to maintain at least two feet of free board in the sludge suction pit, as required by 320 IAC 4.1-24-2; and failure to make a proposed hazardous waste determination of 14 drums of unknown waste found at the "sphere," as required by 320

IAC 4.1.7-2 [sic]." Rock Island denies each and every one of these alleged violations and, further, states that it has been afforded neither notice nor opportunity for hearing with respect to these alleged violations.

Rock Island admits that on or about November 12, 1987. IDEM conducted a compliance evaluation inspection at the refinery, and based on that inspection, asserted the following violations: failure to maintain and operate the east API separator to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil or surface water, as required by 320 IAC 4.1-17-2; failure to include in the waste analysis plan parameters, test methods, and sampling methods, as required by 320 IAC 4.1-16-4; failure to address in the inspection schedule the inspection of safety and emergency equipment and security devices, as required by 320 IAC 4.1-16-6; failure to include in the job description for the coordinator of environmental affairs manifest preparation duties and failure to maintain descriptions of training and records of training for the Coordinator of Environmental Affairs and all emergency coordinators, as required by 320 IAC 4.1-16-7; failure to include in the contingency plan a brief outline of emergency equipment capabilities, as required by 320 IAC 4.1-18-3; failure to include in manifest #00079 and #00080 the telephone numbers of the designated facility and transporter, and failure to provide the proper hazardous waste code number on manifest #49560 to Safety Kleen, as required by 320 IAC 4.1-8-1; and failure to have interim

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status or a permit to store hazardous waste K049, K050 and K051 (vacuum filter sludge) and waste piles, as required by 320 IAC 4.1-38-2." Rock Island denies each and every one of these alleged violations and, in addition, states that it has been afforded neither notice nor opportunity for hearing with respect to these alleged violations.

SECOND DEFENSE

Rock Island specifically denies that it has violated §§ 3004 and 3005 of RCRA, and 320 IAC 4.1 (now 329 IAC 3), and, furthermore, asserts that EPA has no authority pursuant to §3008(a)(1) of RCRA, 42 U.S.C. §6928(a)(1), to enter the Compliance Order set forth in paragraphs A, B, C, D, E, F (and all subparts thereof), and G of the Complaint, Findings of Violation and Compliance Order. EPA is also without any authority to impose the proposed civil penalty as set forth in the Complaint, Findings of Violation and Compliance Order. Moreover, the penalties, as proposed, are unreasonable, oppressive and without support under the facts and law.

THIRD DEFENSE

EPA has designated only sludge from API separators (K051) as a hazardous waste, not API wastewater discharge or reclaimed oil, 40 CFR § 261.32, even though EPA in adopting that rule was fully aware that influent streams to API separators included listed hazardous wastes, such as K049 and K050. Thus, the presence of a RCRA hazardous waste, or a waste deemed to be a RCRA hazardous waste as a result of the mixture rule, 320 IAC 4.1-3-3(b)(2), in

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the influent stream to an API separator does not cause the wastewater effluent from the API separator to be a RCRA hazardous waste. EPA's efforts to characterize the wastewater discharge from an API separator as a RCRA hazardous waste constitutes the adoption of a new rule without proper notice and opportunity for hearing and, for that and other reasons, is illegal and prohibited.

FOURTH DEFENSE

The complaint fails to state a claim against Rock Island upon which relief can be granted because each and every one of the alleged violations set forth in the complaint are exclusively to be enforced by IDEM, which received full authorization for enforcement of the state hazardous waste management program in lieu of the federal hazardous waste management program effective January, 1986.

FIFTH DEFENSE

The complaint and the alleged violations therein are filed untimely.

SIXTH DEFENSE

The complaint and the alleged violations therein are barred by laches.

SEVENTH DEFENSE

The complaint and the alleged violations therein are barred in whole or in part by estoppel or waiver.

WHEREFORE, the respondent, Rock Island Refining Corporation, requests that a hearing be held in this matter and, further, prays that the petitioner, the United States Environmental

Protection Agency, take nothing by way of its complaint and that Rock Island Refining Corporation recover its costs herein and have all just and proper relief.

Respectfully submitted,

PENDYGRAFT & PLEWS

George W. Pendygraft George M. Plews Sue A. Shadley 1346 North Delaware Street Indianapolis, IN 46202 (317) 637-0700

Attorneys for respondent Rock Island Refining Corporation

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served by placing a copy of same in the United States mail, postage prepaid, this 29 th day of October, 1988 addressed to the following parties:

Ms. Beverly Shorty Regional Hearing Clerk (5MF-14) United States Environmental Protection Agency 230 South Dearborn Street Chicago, Illinois 60604

Marc M. Radell, Esq.
Office of Regional Counsel (5CS-TUB-3)
United States Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

Rick Hersemann
Waste Management Division
United States Environmental Protection Agency
230 South Dearborn Street
Chicago, Illinois 60604

17

VIA TELECOPY/and CERTIFIED MAIL --Return Receipt Requested

December 1, 1988

Mark Radell, Esq.
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, Illinois

Re: Rock Island Refining Corporation

Indianapolis, Indiana Settlement Conference

Dear Mark:

We appreciated the opportunity to meet with you and Rick Hersemann on October 28. It is our understanding that the October 28 meeting and this letter are subject to all the privileges and immunities afforded settlement discussions and documents relating thereto.

During the October 28 meeting we agreed to provide Rick Hersemann a copy of the delisting materials in connection with the filter cake generated at the refinery. A copy of those delisting materials are enclosed herewith.

By this letter, we are confirming what we reported during the October 28th meeting as to ongoing projects at Rock Island concerning the aeration ponds. Rock Island continues to arrange for the removal of secondary bottom sediments from the aeration These materials, upon removal, are being sent to either Heritage Environmental Services, Inc., a licensed RCRA treatment, storage or disposal facility, or to the Systech facility in Crawfordsville, Indiana, where the materials are being used as a While these materials are being manifested in fuel source. accordance with the RCRA requirements, it should be understood that a disclaimer has been placed on each manifest to reflect that Rock Island Refining Corporation does not believe these materials to be RCRA hazardous wastes and, by merely manifesting those materials, Rock Island is not in any way admitting or waiving any of its rights as respects that issue.

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We also reported on the status of the groundwater monitoring program that Rock Island is implementing at its refinery. As we indicated at the settlement conference, we will be forwarding for your review a copy of the report prepared by ATEC Associates, Inc. in connection with this groundwater monitoring program. We anticipate the final report to be available some time this week.

We would also like to confirm our understanding from the meeting that the Administrative Complaint and Order, as issued, is not final, and therefore any direction contained in that order does not become effective until after such time as the Company has resolved this matter or otherwise exhausted all its rights with respect to this proceeding.

Finally, we would like to arrange for a meeting with EPA and Indiana Department of Environmental Management representatives at the earliest possible time. I, or one of my associates, will be calling you this week to schedule such a meeting. In the interim, if you have any questions or need of additional information, please call Sue A. Shadley or me at 317-637-0700.

Very truly yours,

George W. Pendygraft by S

GWP/jn

cc: Rick Hersemann
William E. Laque
Sue A. Shadley, Esq.

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

SEP 26 1988

REPLY TO THE ATTENTION OF: 5HR-12

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. W. E. Huff Registered Agent for Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indiana 46268

> Re: Complaint, Findings of Violation and Compliance Order Rock Island Refining Corporation IND 006 417 430

Dear Mr. Huff:

Enclosed please find a Complaint and Compliance Order which specifies this Agency's determination of certain violations by Rock Island Refining Corporation of the Resource Conservation and Recovery Act (RCRA) as amended, 42 U.S.C. §6901 et seq. This Agency's determination is based on inspections of the facility located at Indianapolis, Indiana, by the Indiana Department of Environmental Management (IDEM), and other information in our files.

This Complaint and Compliance Order states the reason for such a determination, establishes a compliance schedule, and assesses a civil penalty for the violations as set forth in the Complaint and Compliance Order. This Complaint and Compliance Order is issued pursuant to Section 3008 of RCRA, 42 U.S.C. §6928.

Accompanying the Complaint is a Notice of Opportunity for Hearing. Should you desire to contest the Complaint, a written request for a hearing is required to be filed with Ms. Beverely Shorty, Regional Hearing Clerk (5MF-14), United States Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604, within 30 days from receipt of this Complaint. A copy of your request should also be sent to Marc M. Radell, Office of Regional Counsel (5CS-TUB-3) at the above address.



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Regardless of whether you choose to request a hearing within the prescribed time limit following service of this Complaint, you are extended an opportunity to request an informal settlement conference.

If you have any questions or desire to request an informal conference for the purpose of settlement with Waste Management Division staff, please contact Mr. Rick Hersemann, United States Environmental Protection Agency, RCRA Enforcement Branch (5HR-12), 230 South Dearborn Street, Chicago, Illinois 60604. His phone number is (312) 886-7567.

Sincerely,

Basil G. Constantelos, Director

Waste Management Division

Enclosure

cc: William E. Laque, Rock Island Refining Corporation

Thomas Russell, IDEM Dennis Zawodni, IDEM

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CERTIFIED MAIL
RETURN REGEIPT REQUESTED

Hr. M. E. Huff Registered Agent for Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indiana 46268

V-W- 88 R-038

Re: Complaint, Findings of Violation and Compliance Order Rock Island Refining Corporation IND 006 417 430

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Sincerely,

Basil G. Constantelos, Director Waste Management Division

Enclosure

246 527, 384

cc: /William E. Laque, Rock Island Refining Corporation Thomas Russell, IDEM Dennis Zawodni, IDEM

bcc: Robert Small, OWPE (OS-520)

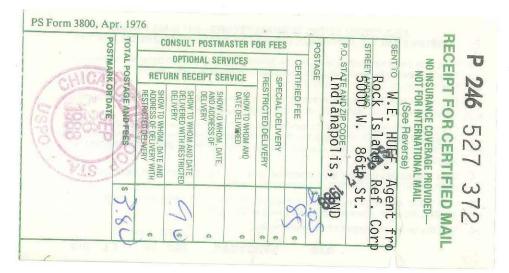
Marc Radell, ORC 5CS-TUB-3

Jean Sharp, 5HR-13 0-R

Regional Hearing Clerk, 5MF-14

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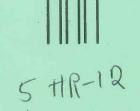
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3. Article Addressed to: W.E. HUFF, Agent for Ock Rock Island Ref. 5000 W. 86th st. Indianapolis, IND	4. Article Number 246 527 372 Type of Service: Registered Insured Certified COD Express Mail
*	Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature – Addressee X 6. Signature – Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery 9-29-78 PS Form 3811, Mar. 1987 * U.S.G.P.O. 1987-178-268	DOMESTIC RETURN RECEIP

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY REGION V

IN THE MATTER OF:

ROCK ISLAND REFINING CORPORATION 5000 WEST 86th STREET INDIANAPOLIS, INDIANA 46268

IND 006 417 430

DOCKET NO.

COMPLAINT, FINDINGS UNVIRONMENTAL

VIOLATION AND COMPROTECTION DAGENCY

PRE AMBLE

R-038 88

This Complaint and Compliance Order is filed pursuant to Section 3008(a)(1) of the Resource Conservation and Recovery Act of 1976, as amended (RCRA), 42 U.S.C. §6928(a)(1), and the United States Environmental Protection Agency's Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22. The Complainant is the Director, Waste Management Division, Region V. United States Environmental Protection Agency (U.S. EPA). The Respondent is Rock Island Refining Corporation, owner and operator of the facility located at 5000 West 86th Street, Indianapolis, Indiana 46268.

This Complaint and Compliance Order is based on information available to the U.S. EPA, including information in U.S. EPA files and file reviews and compliance inspections conducted by the Indiana Department of Environmental Management (IDEM). Based on the review of those documents, it has been determined that Respondent is in violation of Subtitle C of RCRA, Sections 3004 and 3005, 42 U.S.C. §6924 and §6925 respectively and the Indiana Administrative Code (IAC). Ind. Rev. Stat. 1985, as amended, and regulations adopted by the Indiana Environmental Management Board, found in 320 IAC 4.1.

JURISDICTION

Jurisdiction for this action is conferred upon U.S. EPA by Sections 2002(a)(1), 3006(b), and 3008 of RCRA, 42 U.S.C. §6912(a)(1), §6926(b), and §6928 respectively.

On August 18, 1982, the State of Indiana was granted Phase I Interim Authorization by the Administrator of U.S. EPA pursuant to Section 3006(b) of RCRA, 42 U.S.C. §6926(b), to administer a hazardous waste program in lieu of the Federal program. See 47 Fed. Reg. 35,970 (1982). On January 31, 1986, the State of Indiana was granted Final Authorization. See 51 Fed. Reg. 3953. As a result, facilities in Indiana qualifying for interim status are regulated under the Indiana provisions found at 320 IAC, 4.1 et seq., rather than the Federal regulations set forth at 40 CFR Part 265 and 270. Effective June 30, 1988, the Indiana provisions found at 320 IAC 4.1 were recodified and replaced by 329 IAC 3. See Indiana Register, Volume II, Number 10, July 1, 1988. Sections 3006(b) and 3008(a) of RCRA, 42 U.S.C. §6926 and §6928(a), respectively, provide that U.S. EPA may enforce State regulations in those States authorized to administer a hazardous waste program. Notice to the State pursuant to RCRA Section 3008 (a)(2), 42 U.S.C. §6928(a)(2), has been provided by U.S. EPA.

FINDINGS OF VIOLATION

This determination of violation is based on the following:

1. Respondent, Rock Island Refining Corporation, is a person defined by Section 1004(15) of RCRA, 42 U.S.C. §6903(15), and 320 IAC 4.1-1-7, who owns and operates a facility at 5000 West 86th Street, Indianapolis, Indiana 46268, that

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generates, treats, stores, and disposes of hazardous waste. Respondent, Rock Island Refining Corporation, is an Indiana corporation whose registered agent is Mr. W. E. Huff, 5000 West 86th Street, Indianapolis, Indiana 46268.

- 2. Section 3010(a) of RCRA, 42 U.S.C. §6930(a), requires any person who generates or transports hazardous waste, or owns or operates a facility for the treatment, storage, or disposal of hazardous waste, to notify U.S. EPA of such activity within ninety (90) days of the promulgation of regulations under Section 3001 of RCRA. Section 3010 of RCRA also provides that no hazardous waste subject to regulations may be transported, treated, stored or disposed of unless the required notification has been given.
- 3. U.S. EPA first published regulations concerning the generation, transportation, treatment, storage or disposal of hazardous waste on May 19, 1980. These regulations are codified at 40 CFR Parts 260 through 265. Notification to U.S. EPA of hazardous waste activity was required in most instances no later than August 18, 1980.
- 4. Section 3005(a) of RCRA requires U.S. EPA to publish regulations requiring each person owning or operating a hazardous waste treatment, storage, or disposal facility to obtain a RCRA permit. Such regulations were published on May 19, 1980, and are codified at 40 CFR Parts 270 and 271 (formerly Parts 122 and 123). The regulations require that persons who treat, store, or dispose of hazardous waste submit Part A of the permit application in most instances no later than November 19, 1980.
- 5. Section 3005(e) of RCRA provides that an owner or operator of a facility shall be treated as having been issued a permit pending final administrative

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disposition on the permit application provided that: (1) the facility was in existence on November 19, 1980; (2) the requirements of Section 3010(a) of RCRA concerning notification of hazardous waste activity have been complied with; and (3) an application for a permit has been made. This statutory authority to operate is known as interim status. U.S. EPA regulations implementing these provisions are found at 40 CFR Part 270.

- 6. Respondent submitted a timely notification of its hazardous waste activity on July 15, 1980, indicating that the facility generates, treats, stores, or disposes of hazardous waste. Respondent submitted Part A of its application for a RCRA permit on November 18, 1980, for its facility located at 5000 West 86th Street, Indianapolis, Indiana 46268. Respondent's Part A identified hazardous waste management processes as storage in tanks (process code SO2), disposal in land application areas (process code D81), treatment in tanks (process code T01), treatment by incineration (process code T03), and treatment using vacuum filtration (process code T04). Among other things, Respondent's Part A described the generation and management of the following hazardous wastes listed at 40 CFR 261.32:
 - a. Slop oil emulsion solids from the petroleum refining industry (EPA hazardous waste number KO49). KO49 is treated in tanks.
 - b. Heat exchanger bundle cleaning sludge from the petroleum refining industry (EPA hazardous waste number KO50). KO50 is treated in tanks.
 - c. API separator sludge from the petroleum refining industry (EPA hazardous waste under KO51). KO51 is stored in tanks, treated by vacuum filtration, and disposed of in land application areas.

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- d. Tank bottoms (leaded) from the petroleum refining industry (EPA hazardous waste number K052). Respondent's Part A application did not identify a process code for K052.
- 7. Based on Finding 6, Respondent obtained interim status for the continued operation of its hazardous waste tank storage area, land application areas, and treatment processes located at 5000 West 86th Street, Indianapolis, Indiana.
- 8. Respondent's Part A described two surface impoundments at the facility which Respondent refers to as the basic sediments and water ponds (BS & W ponds). The Part A indicated that the material stored in the BS & W ponds included materials from one or more of the specific sources of hazardous wastes KO49, KO50, KO51, and KO52. The Part A indicated that the material stored in the BS & W ponds was generated prior to November 19, 1980. The material in the BS & W ponds is a hazardous waste by application of 320 IAC 4.1-3-3 (a)(2)(iv). The Part A did not describe a process code for the BS & W ponds. On or after November 19, 1980, Respondent stored and treated hazardous waste in the BS & W ponds. On or after November 19, 1980, Respondent removed hazardous waste from the BS & W ponds and disposed of the hazardous waste on land application areas at the facility.
- 9. On October 16, 1981, Respondent petitioned the U.S. EPA Administrator to exclude from regulation, hazardous waste derived from the treatment of hazardous waste listed in 40 CFR 261 Subpart D. The subject of the petition was filter cake waste generated from the vacuum filtration (process code TO4) which contains listed hazardous wastes KO49, KO50, and KO51.
- 10. On December 14, 1981, Respondent submitted to U.S. EPA additional information

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to supplement Respondent's petition to exclude the filter cake waste from regulation as a hazardous waste. Included in this information was a diagram titled: Figure 1, Schematic Diagram of Rock Island Waste Treatment System, which describes the units in which Respondent's wastes are treated.

- 11. Aqueous condensate from storage tanks, process water and oil laden waters (slop oil emulsions) at Respondent's facility are collected and conducted by Respondent's oily water sewer to two API separators. The API separators separate the incoming oily materials by physical means into oil, water, and sludge. The oil is pumped to oil recovery pits and is then recovered in a crude oil unit. Water generated in the API separators is pumped to a series of six unlined aeration lagoons where it is treated and later discharged per Respondent's NPDES permit.
- 12. API separator sludge (K051) and slop oil emulsion solids (K049) removed from Respondent's API separators are conveyed to the vacuum filtration system (Oliver vacuum filter) where the volume of sludge is reduced. The Oliver vacuum filter generates a filter cake, which is the subject of the delisting petition, and a liquid waste. The liquid waste generated by the Oliver vacuum filter is a hazardous waste by application of 320 IAC 4.1-3-3(c)(2)(i).
- 13. The liquid hazardous waste generated from the Oliver vacuum filter is pumped back to the API separators for further treatment. Thus all materials treated in the API separators are hazardous wastes by application of 320 IAC 4.1-3-3(b)(2).
- 14. The water generated in the API separators is a hazardous waste by application of 320 IAC 4.1-3-3(b)(2). The six aeraton lagoons, which treat

this hazardous waste, are hazardous waste surface impoundments (process code TO2). Respondent did not describe hazardous waste management process codes and design capacities for the aeration lagoons on the Part A as required by 40 CFR 270.13. On or after November 19, 1980, Respondent stored and treated hazardous waste in the six aeration lagoons.

- 15. Based on Findings 8 through 14, Respondent did not obtain interim status for operation of the BS & W ponds or the aeration lagoons as hazardous waste surface impoundments.
- 16. Respondent submitted Part B of its application for a RCRA permit on February 28, 1985, for its facility located at 5000 West 86th Street, Indianapolis, Indiana 46268. The Part B described the storage of hazardous waste in tanks and the treatment of hazardous waste in tanks and a vacuum filter. The Part B did not describe hazardous waste management in the aeration lagoons, BS & W ponds, land application area, or in waste piles. In a letter dated May 16, 1985, U.S. EPA notified Respondent of Part B deficiencies regarding the aeration lagoons, BS & W ponds, and land application area.
- 17. Owners and operators of surface impoundments and land application areas which are used to manage hazardous waste must implement a ground-water monitoring program as specified in 320 IAC 4.1-20-1 through 4.1-20-5. Respondent has no ground-water monitoring program for the aeration lagoons, BS & W ponds, or land application area, in violation of 320 IAC 4.1-20-1 through 4.1-20-5.
- 18. In a letter dated March 12, 1982, U.S. EPA notified Respondent that the Agency had completed a preliminary review of Respondent's delisting petition which indicated that the vacuum filter cake waste, listed for containing

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slop oil emulsion solids (KO49), heat exchanger bundle cleaning sludges (KO50), and API separator sludges (KO51) is considered non-hazardous. This informal exclusion was never published as a temporary exclusion in the <u>Federal</u> Register by U.S. EPA.

- 19. Respondent failed to submit a Part B permit application to U.S. EPA for the aeration lagoons, BS & W ponds, or land application area by November 8, 1985. Respondent also failed to certify compliance with applicable groundwater monitoring and financial responsibility requirements by November 8, 1985. Therefore, pursuant to Section 3005(e)(2) of RCRA, 42 U.S.C. § 6925(e)(2), interim status for Respondent's land application area terminated on November 8, 1985. In addition, Respondent has not obtained a finally effective RCRA permit for any of its hazardous waste treatment, storage or disposal operations.
- 20. On January 17, 1986, U.S. EPA published in the <u>Federal Register</u>, U.S. EPA's proposal to deny Respondent's delisting petition for the vacuum filter cake waste and to revoke Respondent's informal exclusion (51 Fed. Reg. 2526-2529).
- 21. Respondent's delisting petition for the vacuum filter cake waste was neither granted nor issued a final denial by U.S. EPA by November 8, 1986. Pursuant to Section 3001(f)(2)(B) of RCRA, 42 U.S.C. §6921(f)(2)(B), Respondent's informal exclusion for the vacuum filter cake waste ceased to be in effect on November 8, 1986. Respondent's vacuum filter cake waste remains a hazardous waste as defined by 320 IAC 4.1-3-3(c)(2)(i). Respondent is subject to the applicable interim status standards as contained in 320 IAC 4.1-1 through-32 for the RS & W ponds, aeration lagoons, and land application area.
- 22. On January 29, 1985, and January 30, 1985, the Indiana State Board of

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Health (ISBH), now called the Indiana Department of Environmental Management (IDEM), conducted a compliance evaluation inspection of Respondent's facility located at 5000 West 86th Street, Indianapolis, Indiana. Specifically, the following violations were identified during the inspection:

- a. Failure to include in the waste analysis plan parameters, test methods, and sampling methods, as required by 320 IAC 4.1-16-4.
- b. Failure to maintain an inspection log, as required by 320 IAC 4.1-16-6.
- c. Failure to include in the personnel training records

 all facility personnel, job titles, job descriptions, and

 documentation of training, as required by 320 IAC 4.1-16-7.
- d. Failure to maintain an operating record, as required by 320 IAC 4.1-19-4.
- 23. On April 29, 1986, IDEM conducted a compliance evaluation inspection of Respondent's facility. Specifically, the following violations were identified during the inspection:
 - a. Failure to have interim status or a permit to receive Stoddard Solvent waste from off-site (Aratex and Means Services), as required by 320 IAC 4.1-38-2.
 - b. Failure to address in the inspection schedule the inspection

- of the Oliver storage tank, surface impoundments, and the land application areas, as required by 320 IAC 4.1-16-6.
- c. Failure to maintain an inspection log, as required by 320 IAC 4.1-16-6.
- d. Failure to include in the personnel training records a description of required introductory and continuing training for each job, as required by 320 IAC 4.1-16-7.
- e. Failure to include in the operating record the location and quantity of hazardous waste within the facility and the methods and dates of treatment, storage or disposal for hazardous waste, as required by 320 IAC 4.1-19-4.
- f. Failure to maintain and operate the Oliver storage tank containment area to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, as required by 320 IAC 4.1-17-2.
- g. Failure to implement a groundwater monitoring system for the hazardous waste surface impoundments, as required by 320 IAC 4.1-20-1.
- h. Failure of manifests to contain five digit document numbers and generator identification numbers, as required by 320 IAC 4.1-8-1.
- i. Failure to file exception reports for manifests (June 12, 1985,

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to Adams Center (#00009) and October 8, 1985, to Safety Kleen (#1352517267) which did have return treatment storage and disposal signed copies, as required by 320 IAC 4.1-10-3.

- 24. In a Letter of Warning dated February 10, 1987, IDEM notified Respondent of the following violations:
 - a. Failure to adjust the closure cost estimate for inflation, as required by 320 IAC 4.1-22-3.
 - b. Failure to adjust the post-closure cost estimate for inflation, as required by 320 IAC 4.1-22-13.
 - c. Failure to maintain liability insurance coverage for sudden and nonsudden accidental occurrences, as required by 320 IAC 4.1-22-24.
- 25. On March 19, 1987, IDEM conducted a compliance evaluation inspection of Respondent's facility. Specifically, the following violations were identified during the inspection:
 - a. Failure to address in the inspection schedule the inspection of safety and emergency equipment, security devices, operating and structural equipment (dike around the Oliver tank, structure of Oliver tank, structure of oscillator tank) and areas subject to spills, as required by 320 IAC 4.1-16-6.
 - b. Failure to include in the inspection schedule freeboard inspections for tanks without dikes, as required by 320 IAC 4.1-24-4.
 - c. Failure to include in the personnel training records all

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facility personnel, job titles, job descriptions, and documentation of training, as required by 320 IAC 4.1-16-7.

- d. Failure to address in the contingency plan evacuation of employees, as required by 320 IAC 4.1-18-3.
- e. Failure to maintain and operate the Oliver storage tank containment area and the oscillator tank to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste consitituents to the air, soil or surface water, as required by 320 IAC 4.1-17-2.
- f. Failure to maintain at least two feet of freeboard in the sludge suction pit, as required by 320 IAC 4.1-24-2.
- g. Failure to make a proper hazardous waste determination of fourteen drums of unknown waste found at the "sphere", as required by 320 IAC 4.1.7-2.
- 26. On November 12, 1987, IDEM conducted a compliance evaluation inspection of Respondent's facility. Specifically, the following violations were identified during the inspection:
 - a. Failure to maintain and operate the east API separator to minimize the possibility of any sudden or non-sudden release of hazardous waste or hazardous waste constituents to the air, soil, or surface water, as required by 320 IAC 4.1-17-2.
 - b. Failure to include in the waste analysis plan parameters, test

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methods, and sampling methods, as required by 320 IAC 4.1-16-4.

- c. Failure to address in the inspection schedule the inspection of safety and emergency equipment and security devices, as required by 320 IAC 4.1-16-6.
- d. Failure to include in the job description for the Coordinator of Environmental Affairs manifest preparation duties and failure to maintain descriptions of training and records of training for the Coordinator of Environmental Affairs and all emergency coordinators, as required by 320 IAC 4.1-16-7.
- e. Failure to include in the contingency plan a brief outline of emergency equipment capabilities, as required by 320 IAC 4.1-18-3.
- f. Failure to include in manifest numbers 00079 and 00080 the telephone numbers of the designated facility and transporter, and failure to provide the proper hazardous waste code number on manifest number 49560 to Safety Kleen, as required by 320 IAC 4.1-8-1.
- g. Failure to have interim status or a permit to store hazardous waste KO49, KO50, and KO51 (vacuum filter sludge) in waste piles, as required by 320 IAC 4.1-38-2. Respondent refers to the waste pile storage area as "Goat Hill".

COMPLIANCE ORDER

Respondent having been initially determined to be in violation of Sections 3004 and 3005 of RCRA, and 320 IAC 4.1 (now 329 IAC 3), the following

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Compliance Order pursuant to Section 3008(a)(1) of RCRA, 42 U.S.C. § 6928 (a)(1), is entered:

- A. Respondent shall immediately cease the placement of any additional hazardous or nonhazardous waste (except in accordance with a closure plan approved pursuant to 329 IAC 3-21-3(d)) into the aeration lagoons, BS & W ponds, land application areas, and waste pile storage areas.
- Respondent shall submit, within fifteen (15) days of this Β. Order becoming final, a closure plan and (if necessary) a post-closure plan for the aeration lagoons, BS & W ponds, land application areas, and waste pile storage area to IDEM, as required by 329 IAC 3-21-3(d) and 329 IAC 3-21-9(e). Upon approval of the closure and (if necessary) post-closure plans by IDEM, Respondent shall perform all closure and post-closure activities detailed in the approved plans in accordance with the approved schedules therein. Upon completion of the required closure activities, Respondent shall certify in writing to IDEM that the aeration lagoons, BS & W ponds, land application areas, and waste pile storage area have been closed in accordance with the specifications in the approved closure plans. Respondent shall also submit, or cause to have submitted to IDEM, written certification of the same from an independent registered professional engineer.
- C. Respondent shall submit, within thirty (30) days of this Order becoming final, to U.S. EPA and IDEM for approval, a plan for

a ground-water monitoring program for the aeration lagoons, BS & W ponds, and land application areas which meet the requirements of 329 IAC 3-20-2 and complies with 320 IAC 3-20-3 through 329 IAC 3-20-5.

- D. Respondent shall implement the ground-water monitoring program immediately upon approval by U.S. EPA and IDEM.
- E. Respondent shall revise all applicable plans, cost estimates, financial assurance and liability insurance mechanisms, as required by 329 IAC 3-15 through 329 IAC 3-32, to include the aeration lagoons, BS & W ponds, land application areas, and waste pile storage area and submit those to U.S. EPA and IDEM within thirty (30) days of this Order becoming final.
- F. Respondent shall, within thirty (30) days of this Order becoming final:
 - Maintain and operate the facility to minimize the possibility of a fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment, as required by 329 IAC 3-17-2.
 - 2. Submit a revised Part A permit application indicating all hazardous wastes treated, stored, or disposed at the facility and all processes used to manage hazardous waste

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- after the effective date of RCRA, as required by 329 IAC 3-34-1 and 329 IAC 3-38-3.
- 3. Obtain coverage for sudden accidental occurrences arising from operations at the facility, as required by 329 IAC 3-22-24(a).
- 4. Obtain coverage for nonsudden accidental occurrences arising from operations at the facility, as required by 329 IAC 3-22-24(b).
- 5. Revise the waste analysis plan to include parameters, test methods, and sampling methods, as required by 329 IAC 3-16-4(b).
- 6. Revise the inspection schedule to include all regulated treatment, storage, or disposal activities; security devices; safety and emergency equipment; and operating and structural equipment, as required by 329 IAC 3-16-6(b). All inspections shall be recorded in the inspection log, as required by 329 IAC 3-16-6(d).
- 7. Revise and maintain personnel training records to include all facility personnel, job titles, job descriptions, and documentation of training, as required by 329 IAC 3-16-7.
- 8. Revise the contingency plan to include evacuation

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procedures for employees and a brief outline of the capabilities of the emergency equipment listed in the contingency plan, as required by 329 IAC 3-18-3.

- 9. Revise the operating record to include methods and dates of treatment, storage, or disposal of hazardous waste at the facility and the location and quantity of each hazardous waste within the facility, as required by 329 IAC 3-19-4.
- 10. Maintain sufficient freeboard in uncovered tanks to prevent overtopping by wave or wind action or by precipitation, as required by 329 IAC 3-24-5.
- 11. Conduct proper inspections of all hazardous waste storage tanks, as required by 329 IAC 3-24-6.
- 12. Determine whether the waste in the fourteen (14) drums found at the "sphere" is hazardous waste, as required by 329 IAC 3-7-2.
- 13. Provide the telephone numbers of the treatment, storage, or disposal facility and transporter; the proper U.S. EPA hazardous waste code numbers; the five digit unique manifest document number; and the generator identification number on all manifests, as required by 329 IAC 3-8-1 and 329 IAC 3-14-3.

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- 14. Submit revised copies of manifest number 00079, 00080, and 49560, as required by 329 IAC 3-8-4.
- 15. Submit exception reports for manifest number 0009 and 1352517267, as required by 329 IAC 3-10-3.
- G. Respondent shall notify U.S. EPA in writing within seven (7) days upon achieving compliance with this Order or any part thereof. This notification shall be submitted to the U.S. EPA, Region V, Waste Management Division, 230 South Dearborn Street, Chicago, Illinois 60604, Attention: Rick Hersemann, RCRA Enforcement Branch (5HR-12).

A copy of these documents and all correspondence with U.S. EPA regarding this Order shall also be submitted to: Thomas Russell, Chief, Hazardous Waste Management Branch, Indiana Department of Environmental Management, 105 South Meridian Street, Indianapolis, Indiana 46240-6015.

Notwithstanding any other provisions of this Order, an enforcement action may be brought pursuant to Section 7003 of RCRA, 42 U.S.C. §6973, or any other applicable statutory authority, should U.S. EPA find that the handling, storage, treatment, transportation, or disposal of solid or hazardous waste at the facility may present an imminent and substantial endangerment to human health or the environment.

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PROPOSED CIVIL PENALTY

In view of the above determination and in consideration of the seriousness of the violations cited herein, the potential harm to human health and the environment, the continuing nature of the violations, and the ability of the Respondent to pay penalties, the Complainant proposes to assess a civil penalty in the amount of ONE HUNDRED FORTY THOUSAND THREE HUNDRED FIFTY DOLLARS (\$140,350) against the Respondent, Rock Island Refining Corporation, pursuant to Sections 3008(c) and 3008(g) of RCRA, 42 U.S.C. §6928. Attachment I to the Complaint provides a detailed summary of the proposed civil penalty. Payment shall be made by certified or cashier's check payable to the Treasurer of the United States of America and shall be mailed to U.S. EPA, Region V, P.O. Box 70753, Chicago, Illinois 60673. Copies of the transmittal of the payment should be sent to both the Regional Hearing Clerk, Planning and Management Division (5MF-14), and the Solid Waste and Emergency Response Branch Secretary, Office of Regional Counsel (5CS-TUB-3), U.S. EPA, 230 South Dearborn Street, Chicago, Illinois 60604.

Failure to comply with any requirements of the Order shall subject the above-named Respondent to liability for a civil penalty of up to TWENTY-FIVE THOUSAND DOLLARS (\$25,000) for each day of continued noncompliance with the deadlines contained in this Order. U.S. EPA is authorized to assess such penalties pursuant to RCRA Section 3008(c).

NOTICE OF OPPORTUNITY FOR HEARING

The above-named Respondent has the right to request a hearing to contest any material factual allegation set forth in the Complaint and Compliance Order or

the appropriateness of any proposed compliance schedule or penalty. Unless said Respondent has filed an answer not later than thirty (30) days from the date this Complaint is served, Respondent may be found in default of the above Complaint and Compliance Order.

To avoid a finding of default by the Regional Administrator you must file a written answer to this Complaint with the Regional Hearing Clerk, Planning and Management Dvision, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, within thirty (30) days of receipt of this notice. A copy of your answer and any subsequent documents filed in this action should be sent to Marc M. Radell, Assistant Regional Counsel (5CS-TUB-3), at the same address. Failure to answer within thirty days of receipt of this Complaint may result in a finding by the Regional Administrator that the entire amount of penalty sought in the Complaint is due and payable and subject to interest and penalty provisions contained in the Federal Claims Collection Act of 1966, 31 U.S.C. §§3701 et seq.

Your answer should clearly and directly admit, deny, or explain each of the factual allegations of which Respondent has knowledge. Said answer should contain: (1) a definite statement of the facts which constitute the grounds of defense; and (2) a concise statement of the facts which Respondent intends to place at issue in the hearing. The denial of any material fact, or the raising of any affirmative defense, shall be construed as a request for a hearing.

The Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation or Suspension of Permits, 40 CFR Part 22, are applicable to this administrative action. A copy of these Rules is enclosed with this Complaint.

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SETTLEMENT CONFERENCE

Whether or not Respondent requests a hearing, Respondent may confer informally with U.S. EPA concerning: (1) whether the alleged violations in fact occurred as set forth above; (2) the appropriateness of the compliance schedule; and (3) the appropriateness of any proposed penalty in relation to the size of Respondent's business, the gravity of the violations, and the effect of the proposed penalty on Respondent's ability to continue in business. Respondent may request an informal settlement conference at any time by contacting this office. Any such request, however, will not affect either the thirty-day time limit for responding to this Complaint or the thirty-day time limit for requesting a formal hearing on the violations alleged herein.

U.S. EPA encourages all parties to pursue the possibilities of settlement through informal conferences. A request for an informal conference should be made in writing to Mr. Rick Hersemann, RCRA Enforcement Branch (5HR-12), at the address cited above, or by calling him at (312) 886-7567.

Dated this 23 dd day of Sextender, 1988.

Pasil G. Constantelos, Mirector

Waste Management Division

Complainant

U.S. Environmental Protection Agency

Region V



CERTIFICATE OF SERVICE

I hereby certify that I have caused a copy of the foregoing Complaint to be served upon the persons designated below, on the date below, by causing said copies to be deposited in the U.S. Mail, First Class and certified-return receipt requested, postage prepaid, at Chicago, Illinois, in envelopes addressed to:

Mr. W. E. Huff Registered Agent for Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indiana 46268

Mr. William E. Laque Rock Island Refining Corporation 5000 West 86th Street Indianapolis, Indiana 46268

I have further caused the original of the Complaint and this Certificate of Service to be served in the Office of the Regional Hearing Clerk located in the Planning and Management Division, U.S. EPA, Region V, 230 South Dearborn Street, Chicago, Illinois 60604, on the date below.

These are said persons' last known addresses to the subscriber.

Dated	this	26	day	of	September.	1988	3.
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Jean Sharp, Office of RCRA

U.Š. EPA, Region V



PART IV. APPROVAL

1. 2. 3. 4.	PREPARER CHIEF, RCRA ENF. SECTION CHIEF, RCRA ENF. BRANCH ASSOC. DIR., OFFICE OF RCRA	JAB JUEM JESJONAU	9/21/88 9/22/88 9/22/88	1515)
6.	ASSISTANT REGIONAL COUNSEL Mirc Ridel/ CHIEF, S.W. & E.R. SECTION CHIEF, SOLID WASTE & EMER. RESPONSE BRANCH	MINE	9/23/88	(X)	(}
-8.	REGIONAL COUNSEL			(-))
9.	DIRECTOR, WASTE MGT. DIV.	bre	1/23.	() .	()

NOTE: Attach sign-off sheets to yellow copy of the enforcement action.

3008(a)(2) notice to IDEM

ATTACHMENT I PENALTY SUMMARY

Regulation Applicable at Time of Violation	Corresponding Federal Regula- tiion (40 CFR)	Nature of Requirement and Date of Violation	Penalty Assessed
320 IAC 4.1-16-4	265.13	Failure of the waste analysis plan to include parameters, test methods, and sampling methods.	\$ 1,000
		January 29, 1985 November 12, 1987	
320 IAC 4.1-16-6	265.15	Failure to conduct complete inspections of facility and maintain inspection log.	\$17,500
		January 29, 1985 April 29, 1986 March 19, 1987 November 12, 1987	
320 IAC 4.1-16-7	265.16	Failure of personnel training records to include all facility personnel, job titles, job descriptions, and documentation of training.	\$ 1,000
		January 29, 1985 April 29, 1986 March 19, 1987 November 12, 1987	
320 IAC 4.1-19-4	265.73	Failure to maintain a complete operating record.	\$ 1,000
		January 29, 1985 April 29, 1986	
320 IAC 4.1-38-2	270.71 and Section 3005(a) of RCRA, 42 U.S.C. §6925(a)	wastes handled and processes employed at the facility on Part A of the permit application and subsequent	\$25,000
		operation of such processes without a RCRA permit or interim status.	•
		May 16, 1985 April 29, 1986 November 12, 1987	

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ATTACHMENT I PENALTY SUMMARY

Regulation Applicable at Time of Violation	Corresponding Federal Regula- tion (40 CFR)	Nature of Requirement and Date of Violation	Penalty Assessed
320 IAC 4.1-17-2	265.31	Failure to maintain facility to mini- mize the possibility of any sudden or non-sudden release of hazardous waste constituents to the air, soil, or surface water.	\$22,500
		April 29, 1986 March 19, 1987 November 12, 1987	
320 IAC 4.1-20-1 through 4.1-20-5	265.90 through 265.94	Failure to implement a ground-water monitoring program.	\$25,000
		May 16, 1985 April 29, 1986	
320 IAC 4.1-8-1	262.20	Failure to complete manifests.	\$ 300
		April 29, 1986 November 12, 1987	
320 IAC 4.1-10-3	262 . 42	Failure to file manifest exception reports.	\$ 2,250
		April 29, 1986	
320 IAC 4.1-22-3 320 IAC 4.1-22-13	265.142 265.144	Failure to adjust closure/post- closure cost estimates for inflation.	\$ 2,250
		February 10, 1987	
320 IAC 4.1-22-24	265.147	Failure to obtain liability coverage for sudden and nonsudden accidental occurrences.	\$22, 500
		February 10, 1987	

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ATTACHMENT I PENALTY SUMMARY

Regulation Applicable at Time of Violation	Corresponding Federal Regula- tion (40 CFR)	Nature of Requirement and Date of Violation	Penalty Assessed
320 IAC 4.1-24-2 320 IAC 4.1-24-4	265.192 265.194	Failure to maintain two feet of free-board in tanks without dikes and to inspect tanks for freeboard. March 19, 1987	\$ 2,250
320 IAC 4.1-18-3	265.52	Failure to maintain a complete contingency plan. March 19, 1987 November 12, 1987	\$ 300
320 IAC 4.1-7-2	262.11	Failure to determine if all solid wastes are hazardous wastes. March 19, 1987	\$ 17,500
		TOTAL	\$140,350

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	Company Name: Kock Islan	a Ketinin	g Corp.	
	Regulation Violated 320 I.	AC 4.1-16-	4 (265.13)	
	Asessments for each violation on separate worksheets and to	n should be det stalled.	termined	
gt =	(If more space is needs:	i, attach sepai	rate sheet.)	
	Part I - Seriousness	of Violation	Penalty	· 医克莱特氏性 40 电点图像摄影
	1. Potential for Marm:	Mino	<u></u>	
	2. Extent of Deviation:	Mode	erate	· Section of the process.
	3. Matrix Cell Range:	500 -	- 1499	
	Penalty Amount Chosen:		000	%.
	Justification for Pens) Amount Chosen:	ni Mi	dpoint	• ,
	4. Per-Day Assessment:		600	
	Part II - Penalty	Adjustments		
	Percen	stage Change*	Dollar Amount	
	1. Good faith efforts to comply/lack of good faith:	N/A	N/A	
	2. Degree of willfulness and/or megligence:	NA	N/A	
	3. Ristory of soncompliance:	NA	_ N/A	
	4. Other unique factors:	NA	N/A	
	5. Justification for Adjustments:			
	* Percentage adjustments are amount calculated on line 4	Dare 1	* 1	
	6. Adjusted Per-day Penalty (Line 4, Part 1 + Lines 1-4, Part 11):	And a second	**** 4 /,000	And the sections
The Control	7. Number of Days of Violation:	e ^M ercanata	N/A	2.50
	8. Multi-day Penalty (Number of days x Line 6, Part II):		_ N/A	
	9. Economic Benefit of Boncompliance:		N/A	
	Justification:			
	10. Total (Lines 8 + 9, Part)	(1):	\$1,000	
	11. Ability to Pay Adjustment:	estes est (in a		anyang sa tingg
	Justification for Adjustment:		N/A	
	12. Total Penalty Amount (Bust not exceed \$25,000 per day of violation):		41,000	

RCRA PENALTY COMPUTATION - JUSTIFICATION

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320 IAC 4.1-16-4

REGULATION(S) VIOLATED: 40 CFR 265, /3

WASTE ANALYSIS PLAN

POTENTIAL FOR HARM CATEGORY: Minor

Failure to have a complete waste analysis plan poses a low likelihood of exposure to hazardous, waste.

EXTENT OF DEVIATION CATEGORY: Moderate

Facility's waste analysis plan does not include all parameters, test methods, and sampling me

\$1,000 Midpoint

Company Name: Rock Island	Dr C
Regulation Violeted 320 IAC	
Assessments for each violation should not be separate worksheets and totalls	
(If more space is needed, att	sch separate sheet.)
Part 1 - Seriousness of V	iolation Penalty Andrews
1. Potential for Marm:	Major
2. Extent of Deviation:	Moderate
3. Matrix Cell Range:	15,000 - 419,999
Penalty Amount Chosen:	17,500
Justification for Penalty -	Midpoint
4. Per-Day Assessment:	417,500
Part II - Penalty Adjus	Then to
Percentage Change* Dollar Amount	
1. Good faith efforts to comply/lack of good faith:	a N/A
2. Degree of willfulness and/or negligence: N/A	a/A
3. History of Boncompliance: N/	A N/A
4. Other unique factors: NA	
5. Justification for Adjustments:	
* Percentage adjustments are appl amount calculated on line 4, Pa	ied to the dollar rts. No. 18 18 18 18 18 18 18 18 18 18 18 18 18
6. Adjusted Per-day Penalty (Line 4, Part 1 + Lines 1-4, Part 11):	17,500
7. Number of Days of Violation:	W/A
8. Multi-day Penalty (Number of days x Line 6. Part 11):	N/A
9. Economic Benefit of Moncompliance:	N/A
Justification:	
10. Total (Lines 8 + 9, Part II):	<u>\$17.500</u>
11. Ability to Pay Adjustment:	
Justification for Adjustment:	N/A
12. Total Penalty Amount (Bust not exceed \$25,000 per day of violation):	#17,500

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RCRA PENALTY COMPUTATION - JUSTIFICATION

320 IAC 4.1-16-6

REGULATION(S) VIOLATED: 40 CFR 265.15

INSPECTION LOG / SCHEDULE

POTENTIAL FOR HARM CATEGORY: Major

Failure to conduct inspections of all regulated units and Sailure to conduct acomplete inspections and keep proper inspection logs poses that a substantial likelihood of exposure to hera-dous waste exists. Potential for releases of hazardous waste and constituents at uninspected units. Facility had releases from spills.

EXTENT OF DEVIATION CATEGORY: Moderate

Facility did conduct some inspections but not of all regulated units. Facility Kept inspection logs but not of all regulated units. Inspection logs did not contain all required information. This violation was cited during four separate inspections.

PENALTY ASSESSED THIS VIOLATION: \$17,500 Midpoint

AND North and age of early

//	0,0
Company Name: Bock Island	
Regulation Violated 320 IAC 4	1-16-7 (265.16)
Asessments for each violation show on separate worksheets and totalle	
(If more space is needed, att	ach separate sheet.)
Part 1 - Seriousness of V	iolation Penalty Approximate the second
1. Potential for Barm:	Minor
2. Extent of Deviation:	Moderate
3. Matrix Cell Range:	4500-41499
Penalty Assount Chosen:	1,000
Justification for Penalty Amount Chosen:	Midpoint
4. Per-Day Assessment:	#1,000
Part II - Penalty Adjus	twents
Percentage	Change* Dollar Amount
1. Good faith efforts to comply/lack of good faith: NA	
2. Degree of willfulness and/or negligence: N/A	N/A
3. History of Boncompliance: NA	N/A
4. Other unique factors: N/A	
5. Justification for Adjustments:	
* Percentage adjustments are appliamount calculated on line 4, Par	ed to the doller
6. Adjusted Per-day Penalty (Line 4. Part 1 + Lines 1-6. Part 11):	1,000
7. Sumber of Days of Violation:	<u>N/a</u>
8. Multi-day Penalty (Humber of days E Line 6, Part II):	<u> </u>
9. Economic Benefit of Honcompliance:	<u>N/A</u>
Justification:	
10. Total (Lines 8 + 9, Part II):	#1,000_
11. Ability to Pay Adjustment:	and the second state of the second se
Justification for Adjustment:	_ N/A -
Rie mais	**************************************
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	#1,000

RERA PENALTY COMPUTATION - JUSTIFICATION

320 IAC 4.1-16-7

REGULATION(S) VIOLATED: 40 CFR 265. 16

PERSONNEL TRAINING RECORDS

POTENTIAL FOR HARM CATEGORY: Minor

Failure to maintain adequate personnel training records poses a low likelihood of exposure to hazardous waste.

EXTENT OF DEVIATION CATEGORY: Moderate

Personnel training records did not contain all facility personnel, job titles, job descriptions, and documentation of training. Facility did have a personnel training program, though inadequate. Facility was cited for this violation on four separate inspections.

PENALTY ASSESSED THIS VIOLATION: \$1,000 Mispoint

CAN Newscan gas cases Care that age as well ass

Company Name: Bock Island A	etning Corp.
Regulation Violated 320 IAC	4.1-19-4 (265.73)
Assessments for each violation should not be separate worksheets and totalls	
(If more space is needed, att	ach separate sheet.)
Part I - Seriousness of V	Molation Penalty
1. Potential for Bars:	Minor
2. Extent of Deviation:	Moderate
3. Matrix Cell Range:	*500- \$1499
Penalty Assount Chosen:	
Justification for Penalty Amount Chosen:	Midpoint
4. Per-Day Assessment:	\$1,000
Part 11 - Penalty Adjus	tments
Percentage	Change® Dollar Amount
1. Good faith efforts to comply/lack of good faith:	N/A
2. Degree of willfulness w/A	N/A
3. History of Boncompliance: N/A	N/A
4. Other unique factors: N/A	N/A
3. Justification for Adjustments:	
* Percentage adjustments are appl amount calculated on line 4. Pa	led to the dollar
6. Adjusted Per-day Penalty (Line 4, Part 1 + Lines 1-4. Part 11):	1,000
7. Number of Days of Violation:	<u>N/A</u>
<pre>8. Multi-day Penalty (Humber of days R Line 6. Part II):</pre>	
9. Economic Benefit of Boncompliance:	_ N/A
Justification:	
10. Total (Lines 8 + 9, Part II):	#1,000
11. Ability to Pay Adjustment:	
Justification for Adjustment:	N/A
12. Total Penalty Amount (Bust not exceed \$25,000 per day of violation):	\$1,000

RCRA PENALTY COMPUTATION - JUSTIFICATION

320 IAC 4.1-19-4

REGULATION(S) VIOLATED: 40 CFR 265.73

OPERATING RECORDS

POTENTIAL FOR HARM CATEGORY: Minor

Failure to maintain complete operating records poses a low likelihood of exposure to hazardous waste.

EXTENT OF DEVIATION CATEGORY: Moderate

Facility mantanes operating records but not for all regulated units. Operating records that were kept were not complete. Violations cites on two seperate inspections.

PENALTY ASSESSED THIS VIOLATION: \$1,000 Midpoint

NA TERRETORIA DE L'ANTINO DE L

Name: Rock Island Refining Corp. and Section 3005/a) of RERA Regulation Violated 320 TAC 42 U.S.C. \$ 6925(a) Assessments for each violation should be determined on separate worksheets and totalled. (If more space is needed, attach separate sheet.) Part 1 - Seriousness of Violation Penalty Major 1. Potential for Barm: Major 2. Extent of Deviation: 20 000 - \$ 25,000 3. Matrix Cell Range: \$25,000 Penalty Abount Chosen: No interim status or peinits for land disposal units Maximum Justification for Penalty Apount Chosen: \$25,000 4. Per-Day Assessment: Part II - Penalty Adjustments Percentage Change Dollar Appunt 1. Good faith efforts to comply/lack of good faith: 2. Degree of willfulness and/or megligence: poncompliance: 4. Other unique factors: 5. Justification for Adjustments: Percentage adjustments are applied to the dollar amount calculated on line 4. Part I. 6. Adjusted Per-day Penalty (Line 4 Part 1 + Lines 1-4, Part 11): 000 7. Humber of Days of Violation: Multi-day Penalty (Number of days R Line 6, Part II): 9. Economic Benefit of Moncompliance: Justification: 25,000 10. Total (Lines 8 + 9, Part II): 11. Ability to Pay Adjustment: Justification for Adjustment: 12. Total Penalty Amount (must not exceed \$25,000 per day of violation):

RCRA PENALTY COMPUTATION - JUSTIFICATION

320 IAC 4.1-38-2

REGULATION(S) VIOLATED: 40 CFR 270.7/

PART A PERMIT

POTENTIAL FOR HARM CATEGORY: Major

Failure to specifies all hazardous wastes handled and all processes employed at the facility on the Part A paint application poses a substantial likelihood of exposure to hazardous waste on hazardous waste constituents. Facility is operating hazardour waste management units without interim status on a paint. Potential releaser from these units are not being monitored on proporly closed. Failure to have interim status or a paint also poses a substantial adverse effect on the RCRA program.

EXTENT OF DEVIATION CATEGORY: Major

Facility failed to specify the BSiN ponds, aeration lagoons, and waste pile storage on the Part A. Facility did not submit closure plans for the land application area after losing interim status. Facility did not have interim status or a paint to receive Stoddard Solvent waste.

PENALTY ASSESSED THIS VIOLATION: \$25,000. Maximum - Facility has no permits or interim status for land disposal units

e (1998) Amerikan den 1998. Se (1998) eta eta Amerikan Esperantuaria.

Company Hame: Rock Island	PS
Regulation Violated 320 TAC	
Assassents for each violation son separate worksheets and total	
(If more space is needed.	attach separate sheet.)
Part I - Seriousness o	f Violation Penalty gapes and a company of the
1. Potential for Earm:	Major
2. Extent of Deviation:	Major
3. Matrix Cell Bange:	£20,000 - £25,000
Penalty Asount Chosen:	22,500
Justification for Penalty Amount Chosen:	Midpoint
4. Per-Day Assessment:	#22,500
Part 11 - Penalty Ad	Justments
Percents	re Change* Dollar Amount
1. Good faith efforts to comply/lack of good faith:	<u>//A N/A</u>
2. Degree of willfulness and/or negligence:	Va NA
3. History of Boncompliance:	V/A N/A
4. Other unique factors: A	1/A N/A
5. Justification for Adjustments:	
* Percentage adjustments are a amount calculated on line 4.	plied to the dollar Party 1. Wallage the property was no region
6. Adjusted Per-day Penalty (Line 4. Part 1 + Lines 1-4. Part 11):	<u>#22,500</u>
7. Number of Days of Violation:	a N/A
8. Multi-day Penalty (Eumber of days x Line 6. Part 11):	
9. Economic Benefit of Boncompliance:	W/A was
Justification:	
10. Total (Lines 8 + 9, Part II): <u>422, 500</u>
11. Ability to Pay Adjustment:	・ アー・・・ アイ・アイ 神経体を 発展を発音を発生をできます。 一年 主義報報
Justification for Adjustment:	N/A -
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	#zz,500

320 IAC 4.1-17-2

REGULATION(S) VIOLATED: 40 CFR 265, 3/ ... Application

RELEASES NOT MINIMIZED

POTENTIAL FOR HARM CATEGORY: Major

Failure to maintain the facility to minimize the possibility of releases of hazardous waste on hazardous waste on hazardous waste constituents poses a substantial likelihood of serposure to hazardous waste.

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EXTENT OF DEVIATION CATEGORY: Major

Facility is not being maintained to minimize releases of hazardous waste. Spills and releases of hazardous waste have been cited at the facility during three seperate inspections. Releases have occurred at the oscillator tank area, Oliver storage tank containment area, and east API seperator.

PENALTY ASSESSED THIS VIOLATION: \$22,500 Midpoint

	Company Name: Rock 1	sland Refini	ng Corp	
	Regulation Violated 320			-20-5
	Assauments for each violat on separate worksheets and	ion should be det		
ad ·	(If more space is ner	ded, attach sepai	rate sheet.)	
•	Part 1 - Seriousn	ess of Violation	Penalty	en de la companya de la companya de la companya de la companya de la companya de la companya de la companya de
	1. Potential for Barm:	Maj	or	
	2. Extent of Devistion:	Maj	or	en en en en en en en en en en en en en e
	3. Matrix Cell Range:	*20,a	00 - \$25,000	
•	Penalty Amount Chose	n: 2	5,000	
	Justification for Pe	nalty Maxim	son - No gr	oundwater moni
	4. Per-Day Assessment:	<u> \$25</u>	7,000	
· * .	Part 11 - Penal	ty Adjustments		
	<u>Per</u>	centage Change*	Doller Amount	
4	1. Good faith efforts to comply/lack of good faith:	NA	NA	
	2. Degree of willfulness and/or megligence:	N/A	NA	and the second second
	3. Ristory of Boncompliance:	NA	NA	
	4. Other unique factors:	NA	NA	
	5. Justification for Adjustments:			
	* Percentage adjustments a amount calculated on lin		e doller	
and the second s	6. Adjusted Per-day Pensity (Line 4. Part 1 + Lines 1-4. Part 11):		£25,000	
	7. Number of Days of Violation:		N/A	
	 Multi-day Penalty (Number of days R Line 5, Part II): 		NA	
•	9. Economic Benefit of Boncompliance:		NA	
	Justification:		<u>, </u>	
	10. Total (Lines 8 + 9, Pa	rt II):	\$25,000	
en a ser en en en en en en en en en en en en en	11. Ability to Pay Adjusts	ent:	10 1	Tandistalish son digitalish
the Market Commence of the Com			N/A-	
	12. Total Penalty Amount (must not exceed \$25 per day of violation	. 00 0):	\$25,000	<u>-</u>
			the first section of the section of	

320 TAC 4.1-20-1 - 4.1-20.5

REGULATION(S) VIOLATED: 40 EFR. 265. 90 - 265.94

GROUND WATER MONITORING

POTENTIAL FOR HARM CATEGORY: Major

Failure to have a groundwater monitoring program for surface impoundments and land application area poses a substantial likelihood of exposure to hazardous waste. Potential releases of hazardous waste or hazardous waste constituents to the groundwater are going undetected. Failure to have a groundwater monitoring program also has an adverse effect on the Read program.

EXTENT OF DEVIATION CATEGORY: Major

Facility has no groundwater monitoring program for surface impoundments and land application area.

PENALTY ASSESSED THIS VIOLATION: \$25,000 Maximum No economic benefit colculated reason for maximum penalty instead of midpoint.

Company Name: Kock Island Refi	
Begulation Violated 320 IAC 4.1-8-	1 (262.20)
Assessments for each violation should be don separate worksheets and totalled.	determined
(If more space is needed, attach sep	arate sheet.)
Part 1 - Seriousness of Violatic	n Penalty white the companies of the
1. Potential for Barn: M.	nor
2. Extent of Deviation: M,	205
3. Matrix Cell Range: #100	- 4499
Penalty Asount Chosen:	300
ABOUNT Chosen:	idpoint
4. Per-Day Assessment:	300
Part II - Penalty Adjustments	
Fercentage Change	Dollar Amount
1. Good faith efforts to comply/lack of good faith: N/A	N/A
2. Degree of willfulness and/or negligence: N/A	Ma
3. History of Boncompliance: N/A	N/A
4. Other unique factors: NA	NA
5. Justification for Adjustments:	
* Percentage adjustments are applied to amount calculated on line 4, Part 1.	the dollar - : : : : : : : : : : : : : : : : : : :
6. Adjusted Per-day Pensity (Line 4, process Part 1 + Lines 1-4. Part 11):	<u>\$300</u>
7. Number of Days of Violation:	N/A
8. Multi-day Penalty (Number of days R Line 6, Part II):	N/A
9. Economic Benefit of Honcompliance:	N/A
Justification:	
10. Total (Lines & + 9. Part 11):	- <u>* * 300</u>
11. Ability to Pay Adjustment:	HARLES TO THE TOTAL TO THE TOTAL TO THE TOTAL TO THE TOTAL TO THE TOTAL TO THE TOTAL TO THE TOTAL TO THE TOTAL
Justification for Adjustment:	N/A -
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	# 300_

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320 TAC 4.1-8-1

MANIFESTS

POTENTIAL FOR HARM CATEGORY: Minor

Failure to complete all required information on manifests poses a low likelihood of exposure to haza-daus waste.

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EXTENT OF DEVIATION CATEGORY: Minor

Only three manifests were found to be filled out incorretly.

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Alle Ald New Lee even seeks Alle Alle Alle Alle December 1980

Company Hame: Rock Island Refin.	ing Corp.
Regulation Violated 320 IAC 4.1-10-	3 (262.42)
Assassents for each violation should be det on separate worksheets and totalled.	ermined
(If more space is needed, attach separ	ate sheet.)
Part I - Seriousness of Violation	Penalty appears to the second
1. Potential for Bare: Min	0.7
2. Extent of Devistion: Ma	<u>ior</u> esale esa que la constant
3. Matriz Cell Range: 41,50	00- \$2999
Penalty Assount Chosen:	,250
Amount Chosen:	dpoint
4. Per-Day Assessment:	,250
Part 11 - Penalty Adjustments	-
Percentage Change	Dollar Amount
1. Good faith efforts to comply/lack of good faith: N/A	N/A
2. Degree of willfulness and/or negligence: N/A	N/A_
3. History of NA	N/A
4. Other unique factors: NA	NA
5. Justification for Adjustments:	
* Percentage adjustments are applied to the amount calculated on line 4. Part 1.	e dollar - william was market menne en enten en
6. Adjusted Per-day Penalty (Line 4. Part 1 + Lines 3-6. Part 11):	<u>#2,250</u>
7. Sumber of Days of Wiolation:	NA
8. Multi-day Penalty (Eumber of days R Line 6, Part II):	N/A
9. Economic Benefit of Honcompliance:	MA
Justification:	
10. Total (Lines 8 + 9, Part II):	£2,250
11. Ability to Pay Adjustment:	And the same and t
Justification for	N/A -
Adjustment:	CONTRACTOR OF THE PROPERTY OF
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	42,250

370 IAC 4.1-10-3

REGULATION(S) VIOLATED: 40 CFR 262, 42

Manifest Exception Reports

POTENTIAL FOR HARM CATEGORY: Minor

Failure to Sile rexception reports for manifests poses a low likelihood for exposure to hazardous

EXTENT OF DEVIATION CATEGORY: Major

Facility failed to Sile exception reports as required for manifests # 0009 and 1352517267.

\$2,250 Midpoint

	Company Name: Bock Island Ke	fining Corp.
	Regulation Violated 320 IAC 4.1-	22-3 (265, 142)
• • \$ • \$	320 TAC 4.1- Assessments for each violation should be on separate worksheets and totalled.	22-/3 (265./44) e determined
	(If more space is needed, attach	separate sheet.)
	Part I - Seriousness of Viols	tion Penalty project new Agreement which
	1. Potential for Barn:	Minor
	2. Extent of Deviation:	Major
	3. Matrix Cell Range:	#1500- #2,999
• · · · · ·	Penalty Assount Chosen:	#2,250
	Justification for Penalty Amount Chosen:	Midpoint
	4. Per-Day Assessment:	\$2,250
	Part II - Penalty Adjustmen	nts
	Percentage Chan	gee Doller Amount
	1. Good faith efforts to comply/lack of good faith: N/A	<u>N/A</u>
	2. Degree of willfulness and/or negligence:	N/A
	3. History of Boncompliance: N/A	N/A
	4. Other unique factors: N/A	NA
	5. Justification for Adjustments:	
	* Percentage adjustments are applied to amount calculated on line 4, Part I	to the dollar
	6. Adjusted Per-day Pensity (Line 4. Part 1 + Lines 1-4. Part 11):	12,250
	7. Humber of Days of Wiolation:	NA
	8. Multi-day Penalty (Number of days X Line 6. Part II):	N/A
•	9. Economic Benefit of Boncompliance:	N/A
	Justification:	
-	10. Total (Lines 8 + 9, Part II):	#2250
	11. Ability to Pay Adjustment:	· · · · · · · · · · · · · · · · · · ·
•	Justification for Adjustment:	N/A -
	12. Total Penalty Amount (Bust not exceed \$25,000 per day of violation):	\$2,250

-320 TAC 4.1-22-3, 320 TAC 4.1-22-13

REGULATION(S) VIOLATED: 40 CFR 265, 142 , 265, 144

CLOSURE / POST-CLOSURE COST ESTIMATES

POTENTIAL FOR HARM CATEGORY: Minor

Failure to adjust closure post-closure cost estimates for inflation poses a low likelihood of exposure to hazardous waste.

EXTENT OF DEVIATION CATEGORY: Major

Facility failed to submit closure/post-closure cost estimates, which were adjusted for inflation, as required.

PENALTY ASSESSED THIS VIOLATION: 42,250 Midpoint

A STATE OF THE STA

0,5101	
Company Kame: Bock Island Redining Corp.	
Regulation Violated 320 IAC 4.1-22-24 (265.147)	
Asessments for each violation should be determined on separate worksheets and totalled.	
(If more space is needed, attach separate sheet.)	
Part 1 - Seriousness of Violation Penalty	The second second
1. Potential for Barn: Major	
2. Extent of Deviation: Major	e e e e e e e e e e e e e e e e e e e
3. Matrix Cell Range: #20,000 - #25,000	
Penalty Abount Chosen: \$22,500	
Justification for Penalty Midpoint	
4. Per-Day Assessment: #22,500	
Part II - Penalty Adjustments	
Percentage Change* Dollar Amount	
1. Good faith efforts to comply/lack of good faith: N/A N/A	
2. Degree of willfulness NA NA	
3. History of NA NA	
4. Other mique factors: NA NA	
5. Justification for Adjustments:	
* Percentage adjustments are applied to the dollar amount calculated on line 4. Part 1.	No de l'hyestylke
6. Adjusted Per-day Penalty (Line 4. Part 1 + Lines 1-4. Part 11): B22,500	
7. Number of Days of Violation:	
8. Multi-day Penalty (Number of days x Line 6, Part 11): //A	
9. Economic Benefit of Soncompliance:	
Justification:	
10. Total (Lines 8 + 9, Part 11):	
11. Ability to Pay Adjustment:	
Justification for Adjustment:	
12. Total Penalty Amount (Bust not exceed \$25,000 per day of violation): #22,500	

370 TAC 41-72-24

REGULATION(S) VIOLATED: 40 CFR 265,147

LIADICITY INSURANCE

POTENTIAL FOR HARM CATEGORY: Major

Failure to obtain liability coverage for sudden and nonsudden accidental occurences poses a substantial likelihood of exposure to horardous waste in that funds may not be available to stop or correct releases. Failure to obtain liability insurance also has an adverse effect on the RCRA program.

EXTENT OF DEVIATION CATEGORY: Major

Facility has no liability insurance coverage for sudden and nonsulden accidental occurences.

PENALTY ASSESSED THIS VIOLATION: \$ 20,500, Midpoint

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Rock Island Retining Corp. Begulation Violated 320 ZAC 265.192) 7 (265. 194) erained 320 TAC 9.1-Assessments for each violation should be on separate worksheets and totalled. (If more space is meeded, attach separate sheet.) Part I - Seriousness of Violation Penalty 1. Potential for Earn: 2. Extent of Devistion: \$ 1500 - \$2,999 3. Matrix Cell Range: Penalty Amount Chosen: Justification for Penalty Amount Chosen: \$ 2.25<u>0</u> 4. Per-Day Assessment: Part II - Penalty Adjustments Percentage Change Dollar Amount 1. Good faith efforts to comply/lack of good faith: 2. Degree of willfulness and/or megligence: 3. Eistory of Boncompliance: 4. Other unique factors: 5. Justification for Adjustments: * Percentage adjustments are applied to the dollar amount calculated on line 4. Part 1. 6. Adjusted Per-day Penalty (Line 4, Part 1 + Lines 1-4, Part 11): 7. Number of Days of Violation: 8. Multi-day Penalty (Number of days x Line 6, Part II): 9. Economic Benefit of Moncompliance: Justification: 250 10. Total (Lines 8 + 9, Part II); 11. Ability to Pay Adjustment: Justification for Adjustment: 12. Total Penalty Amount (Bust not exceed \$25,000 per day of violation):

i. dal

370 IAC 4.1-24-2, 320 IAC 4.1-24-4

REGULATION(S) VIOLATED: AD CFR 265, 192, 265, 194:

POTENTIAL FOR HARM CATEGORY: Minor

Failure to conduct tank inspections poses a low like lihood of exposure to hazardous waste

EXTENT OF DEVIATION CATEGORY: Major

Facility failed to conduct the required tank inspections tacility failed to inspect tanks for freeboard.

\$ 2,250 Mil point

Coppeny Name: Bock Island	Refuse Cara
Regulation Violated 320 IAC 4	
Assassants for each violation shou on separate worksheets and totalle	
(If more space is needed, att	ach separate sheet.)
Part I - Seriousness of V	iclation Penalty
1. Potential for Barm:	Minor
2. Extent of Deviation:	Minor
3. Matrix Cell Range:	# 100 - #499
Penalty Amount Chosen:	#300
Justification for Penalty Amount Chosen:	Midpoint
4. Per-Day Assessment:	#300
Part II - Penalty Adjus	tments
Percentage	Change* Bollar Amount
1. Good faith efforts to comply/lack of good faith: N/A	<u> </u>
2. Degree of willfulness and/or negligence:	N/A
3. History of Boncompliance:	<u> Na</u>
4. Other unique factors: N/A	<u> </u>
5. Justification for Adjustments:	
* Percentage adjustments are applianount calculated on line 4. Par	ed to the dollar 1. The management was easiers
6. Adjusted Per-day Pensity (Line 4, Part 1 4 Lines 1-4, Part 11):	#300
7. Number of Days of Violation:	NA
8. Multi-day Penalty (Number of days x Line 6, Part 11):	N/A
9. Economic Benefit of Boncompliance:	NA
Justification:	
10. Total (Lines 8 + 9, Part II):	<u>\$300</u>
10. Total (Lines 8 + 9, Part 11): 11. Ability to Pay Adjustment:	The state of the s
Justification for Adjustment:	N/A
12. Total Penalty Amount (must not exceed \$25,000 per day of violation):	\$300

320 IAC 4.1-18-3

REGULATION(S) VIOLATED: 40 CFR 265.52

CONTINGENCY PLAN

POTENTIAL FOR HARM CATEGORY: Minor

Failure to maintain a complete contingency plan poses a low potential likelihood of exposure to hazardous waste.

EXTENT OF DEVIATION CATEGORY: Minor

Facility maintained an incomplete contingency plan.

Specific New Section 880

PENALTY ASSESSED THIS VIOLATION: \$300 Milgon +

and the second property of the second

Company Name: Bock Is	land Refining Corp
Regulation Violated 320 I.	AC 4.1-7-2 (262.11)
Assessments for each violations on separate worksheets and t	
(If more space is needs	d, attach separate sheet.)
Part I - Seriousnes	<pre>s of Violation Penalty stands the continuous tests</pre>
1. Potential for Bara:	Major
2. Extent of Devistion:	Moderate
3. Matrix Cell Range:	\$15,000-\$19,999
Penalty Asount Chosen:	\$17,500
Justification for Pena Amount Chosen:	alsy Midpoint
4. Per-Day Assessment:	\$17,500
Part 11 - Penalty	Adjustments
Ретсе	entage Change* Dollar Amount
1. Good faith afforts to comply/lack of good faith:	N/A N/A
2. Degree of willfulness and/or negligence:	N/A N/A
3. History of moncompliance:	N/A N/A
4. Other unique factors:	N/A N/A
5. Justification for Adjustments:	
* Percentage adjustments are amount calculated on line	e applied to the dollar
6. Adjusted Per-day Pensity (Line 4, Part 1 + Lines 1-6, Part 11):	\$17,500
7. Humber of Days of Violation:	W/A
8. Hulti-day Penalty (Humber of days x Line 6, Part II):	the same of the sa
9. Economic Benefit of Boncompliance:	NA
Justification:	
10. Total (Lines 8 + 9, Part	11):
11. Ability to Pay Adjustment	
Justification for Adjustment:	N/A
্ৰকা ং শী বিষয়েকটোকী উন্নিধি	Address of the second s
12. Total Penalty Amount (must not exceed \$25.0) per day of violation):	617,500

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320 IAC 4.1-7-2 ----

REGULATION(S) VIOLATED: 40 CFR 262.1/

HALARDOUS WASTE DETERMINATION

POTENTIAL FOR HARM CATEGORY: Major

Failure of facility to make harardous waste determinations for all wastes poses a substantial likelihood of exposure to hazardous waste. Facture to make the determination could lead to the improper treatment, storage; and disposal of a hazardous waste. The mixing of incompatible wastes could occur and cause a release.

EXTENT OF DEVIATION CATEGORY: Molerate

Facility failed to make the proper hazardous waste determination for the 14 drums of unknown waste found on 3/19/87 inspection. Facility also failed to make the proper hazardous waste determinations for the adiation lagours, Bs & W ponds, and land application area.

PENALTY ASSESSED THIS VIOLATION: \$17,500 Midpoint

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

230 SOUTH DEARBORN ST. CHICAGO, ILLINOIS 60604

29 AU6 1988

REPLY TO THE ATTENTION OF: 5HR-12

Bruce Palin, Acting Assistant Commissioner Solid and Hazardous Waste Management Indiana Department of Environmental Management 105 South Meridian Street P.O. Box 6015 Indianapolis, Indiana 46206-6015

> Complaint and Compliance Order Rock Island Refining Corporation

IND 006 417 430

Dear Mr. Palin:

Pursuant to Section 3008(a)(2) of the Resource Conservation and Recovery Act (RCRA), as amended, I am providing notice to you that the United States Environmental Protection Agency (U.S. EPA) is preparing to issue an Order under Section 3008(a)(1) to the subject facility for operating hazardous waste surface impoundments, a land application area, and a waste pile without interim status or a final RCRA permit; failure to install and implement a ground-water monitoring program; and failure to obtain sudden and non-sudden liability insurance coverage.

If you have any questions on this matter, please contact Mr. Rick Hersemann of my staff at (312) 886-7567.

Sincerly yours,

William E. Muno, Acting Associate Division Director

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Office of RCRA

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Bruce Palin, Acting Assistant Commissioner
Solid and Mazardous Waste Management
Indiana Department of Environmental
Management
105 South Meridian Street
P.O. Box 6015
Indianapolis, Indiana 46206-6015

Re: Complaint and Compliance Order Rock Island Refining Corporation IND 006 417 430

Dear Mr. Palin:

Pursuant to Section 3008(a)(2) of the Resource Conservation and Recovery Act (RCRA), as amended, I am providing notice to you that the United States Environmental Protection Agency (U.S. EPA) is preparing to issue an Order under Section 3008(a)(1) to the subject facility for operating hazardous waste surface impoundments, a land application area, and a waste pile without interim status or a final RCRA permit; failure to install and implement a ground-water monitoring program; and failure to obtain sudden and non-sudden liability insurance coverage.

If you have any questions on this matter, please contact Mr. Rick Hersemann of my staff at (312) 886-7567.

Sincerly yours,

William E. Muno, Acting Associate Division Director Office of RCRA bcc: J. Boyle, REB H. Cho, RPB B. Orenstein, RPMB

5HR-12:RHersemann:nd:6-7567:8/22/88

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DATE	8/22/1	\$810980	9/22/00							MANAGEMENT OF

Swanson



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT NANCY A. MALOLEY, Commissioner

105 South Meridian Street P.O. Box 6015 Indianapolis 46206-6015

Indianapolis 46206-6015 Telephone 317-232-8603

RECEIVED

or JULO 8 1988

July 5, 1988

Mr. William Muno,
Acting Associate Division Director
Office of RCRA
U.S. EPA, Region V
230 South Dearborn Street
Chicago, Illinois 60604

U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
OFFICE OF THE DIRECTOR

Re: Rock Island Refining C

Re: Rock Island Refining Corporation IND 006417430 RCRA Enforcement Referral

Dear Mr. Muno:

Enclosed is an enforcement referral from the Enforcement Section of our Hazardous Waste Management Branch. Messrs. Thomas Russell and John Hayworth of our staff have discussed the Rock Island Refining Corporation situation with Mr. Joe Boyle of your office and have come to the agreement that the enforcement action pertaining to hazardous waste violations should be handled by the EPA. This is due mainly to the temporary exclusion afforded Rock Island by the EPA for their petroleum industry waste streams. In addition, Mr. Joe Boyle has repeatedly questioned the status of this enforcement referral in the past few monthly enforcement conference calls.

Rock Island Refining Corporation has various hazardous waste violations including Class I financial assurance violations. This office would also suggest that you send a 3007 Request for Information to the facility, in order to verify information regarding waste piles at the site. The waste piles contained K049, K050 and K051 sludge and information regarding the waste piles was uncovered during the November 12, 1987, inspection (which has been included in this referral).

Staff of the Office of Solid and Hazardous Waste Management, Indiana Department of Environmental Management, will assist in providing any additional information needed in this action. Specific questions about Rock Island Refining Corporation should be directed to Mr. Robert D. Malone of our Enforcement Section at AC 317/232-3409. Thank you for your cooperation in advance.

Sincerely,

Jane Magee

Assistant Commissioner for

Solid and Hazardous Waste Management

RDM/sac Enclosure

cc: Ms. Sally K. Swanson, U.S. EPA, Region V

Mr. Jeff L. Blankenberger

Mr. Jeff W. Stevens Ms. Karyl K. Schmidt

Marion County Health Department

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DEPARTMENT OF ENVIRONMENTAL MANAGEMENT



105 South Meridian Street P.O. Box 6015 Indianapolis, Indiana 46206-6015

MAR 3 0 1987



Mr. William Laque Environmental Coordinator Rock Island Refining 5000 West 86th Street Indianapolis, IN 46268-1601

Re: Letter of Inadequacy (L-022)
Rock Island Refining Corporation
EPA I.D. No. IND 006417430
Indianapolis, Indiana

Dear Mr. Laque:

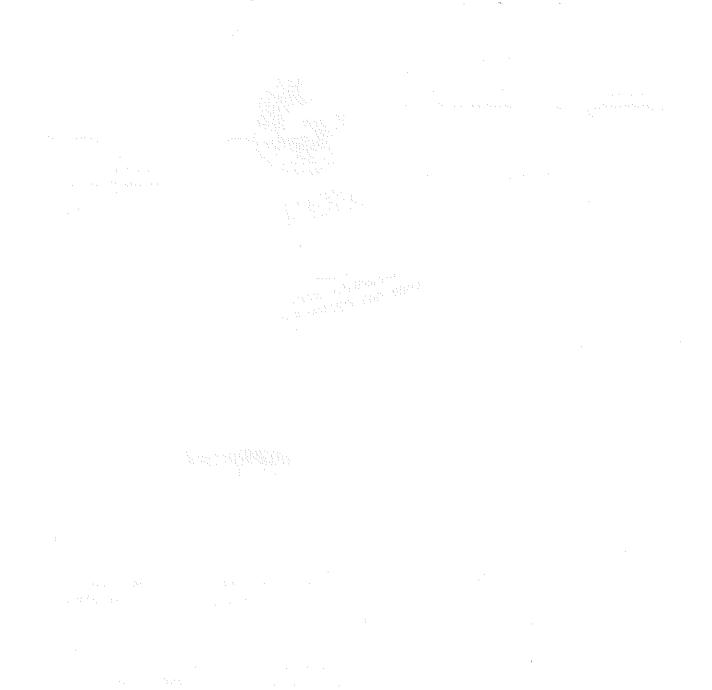
This will acknowledge the receipt of information from Rock Island Refining Corporation on October 7, 1985. This information was submitted in response to our Letter of Warning dated September 6, 1985, regarding your firm's compliance with Indiana Code IC 13-7, the Indiana Environmental Management Act, and 320 IAC 4.1, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements."

Staff has reviewed the materials submitted and determined that they are inadequate to achieve compliance with the hazardous waste management requirements under 320 IAC 4.1. Our concern pertaining to these materials is listed below:

1. The personnel training documents must provide a description of both introductory and continuing training each person assigned to a hazardous waste management duty will receive. See 320 IAC 4.1-16-7(d)(3).

Your response must be revised or supplemented as necessary to address this deficiency and be submitted to this office within thirty (30) days.

If you fail to respond fully and adequately within the time specified and document your facility's return to compliance, a formal Notice of Violation will be issued to compel compliance.



Mr. William Laque Page 2

If you have any questions regarding this matter, please contact Mr. Rod Steele of this office at AC 317/232-3405.

Very truly yours,

Thomas Russell, Chief Enforcement Section

Hazardous Waste Management Branch Solid and Hazardous Waste Management

RJS/rmw

cc: Marion County Health Department

Ms. Sally K. Swanson, U.S. EPA, Region V



INDIANAPOLIS, 46225

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street February 10, 1987

VIA CERTIFIED MAIL

Mr. William E. Laque, Environmental Coordinator Rock Island Refinery Corporation P.O. Box 68007 Indianapolis, IN 46268

Re: EPA I.D.# IND 006417430

Dear Mr. Laque:

Our records indicate that the facility indicated above is not in compliance with the Indiana RCRA financial assurance rules for the following reason(s):

- No information submitted on closure/post-closure cost estimate changes regarding:
 - a. Change in cost estimate.
 - Annual inflation adjustment.
- 2. No filing of proof of insurance for liability protection for:
 - a. Sudden occurrences.
 - Non-sudden occurrences.
- 3. Please note that by statutory amendment all references to "Technical Secretary" and "Environmental Management Board" are to be replaced with "Commissioner" and "Department of Environmental Management," respectively. Copies of insurance certificates have been enclosed.



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Mr. William E. Laque page 2

Failure to bring this facility into compliance with the Indiana RCRA financial assurance rules (320 IAC 4.1-22-1 through 320 IAC 4.1-22-35) by March 13, 1987, will result in the referral of this matter to the Enforcement Section. If you have any questions regarding this, please contact me at AC 317/232-8901.

Very truly yours,

Jeffly W. Stevens

Legal Analyst

Solid and Hazardous Waste Management

JWS/cls

cc: Ms. Sally K. Swanson, U.S. EPA, Region V

Mr. George W. Pendygraft, Esquire, Baker & Daniels, 810 Fletcher Trust Bldg., Indianapolis, IN 46204-2454 (with enclosures)

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INDIANAPOLIS, 46225

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

105 South Meridian Street

January 5, 1987

VIA CERTIFIED MAIL P 395 652 287

Mr. William E. Laque, Environmental Coordinator Rock Island Refinery Corporation P.O. Box 68007 Indianapolis, IN 46268

Re: U.S. EPA I.D. No. IND006417430

Dear Mr. Laque:

Our records indicate that the facility indicated above is not in compliance with the Indiana RCRA financial assurance rules for the following reason(s):

- No information submitted on closure/post-closure cost estimate changes regarding:
 - a. Change in cost estimate.
 - Annual inflation adjustment.
- 2. No filing of proof of insurance for liability protection for:
 - Sudden occurrences.
 - b. Non-sudden occurrences.
- 3. Please note that by statutory amendment all references to "Technical Secretary" and "Environmental Management Board" are to be replaced with "Commissioner" and "Department of Environmental Management," respectively. Copies of insurance certificates have been enclosed.

Mr. William E. Laque Page 2

Failure to respond to this notice by February 1, 1987, will result in the referral of this matter to the Enforcement Section. If you have any questions regarding this, please contact me at AC 317/232-8901.

Very truly yours,

Jeffly W. Stevens

Legal Analyst

Solid and Hazardous Waste Management

JWS/tjd Enclosure

cc: Ms. Sally K. Swanson, U.S. EPA, Region V

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State Form 4336

NT OF ENVIRONMENTA JANAGEMENT

INDIANAPOLIS

OFFICE MEMORANDUM

DATE:

THRU:

June 24, 1986

TO:

Rock Island Refinery Corporation, RCRA File

Richard Strong RAS

IND 006417430, Indianapolis, Marion County

FROM:

David Koepper NE

Compliance Monitoring Section

SUBJECT:

Trip Report for the Scheduled G/L and Enforcement Follow-up Inspection

Conducted on May 5, 1986

This inspection was a routine inspection combined with an enforcement follow-up inspection required to verify compliance with personnel training record requirements.

The facility is a crude oil refinery. Operations at the facility are typical. Waste solids are produced from API separators in the wastewater treatment plant. Aeration lagoons are used after the API separators. The API separator solids are temporarily stored in a tank prior to dewatering in a vacuum filter. A hazardous waste is going into the API separator via the sewer when the heat exchangers are cleaned. This bundle cleaning sludge is washed into the sewer after the cleaning operation. Slop oil emulsion solids and API separator solids are also produced in the API separator.

Some violations were found during the inspection. The inspection schedule does not address the TSD activities at the facility. Personnel training records do not describe introductory and continuing training requirements. The operating record does not record waste volume or location. A small overflow of the dike around the Oliver filter storage tank was noted. The facility does not have groundwater monitoring. Two manifests were found which had no returned copy with a TSD signature. Thirteen manifests to Safety Kleen contained no generator ID number.

The inspection findings of new violations will be referred to the Enforcement Section. The results of the enforcement follow-up will be referred to Mr. Rod Steele.

DJK/drc

cc: Enforcement Section

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INDIANAPOLIS

STATE BOARD OF HEALTH
AN EQUAL OPPORTUNITY EMPLOYER

Address Reply to: Indiana State Board of Health 1330 West Michigan Street P. O. Box 1964

Indianapolis, IN 46206-1964

September 6, 1985

VIA CERTIFIED MAIL

Mr. William Laque Environmental Coordinator Rock Island Refining Corporation 5000 West 86th Street Indianapolis, IN 46268-1601

Dear Mr. Laque:

REGEOVED

SEP 0 9 1985

SOLID WASTE BRANCH U.S. EPA, REGION V

Re: RCRA G/TSD Inspection
Rock Island Refining Corporation
IND 006417430
Letter of Inadequacy (L-022)

This will acknowledge receipt of information from Rock Island Refining Corporation on July 31, 1985. This information was submitted in response to our letter of June 21, 1985, in reference to your Company's compliance with the Federal Resource Conservation and Recovery Act (RCRA) and Environmental Management Board (EMB) 320 IAC 4.

Staff has reviewed the information submitted and determined that your response is not sufficient to determine if compliance with RCRA and 320 IAC 4 have been met. Please submit additional information as listed below:

- 1. The personnel training records do not include a description of the duties of each facility personnel assigned to hazardous waste management positions. In addition, the personnel training records do not include the requisite skills, education, or other qualifications possessed by hazardous waste management personnel. See 40 CFR 265.16(d)(2) (320 IAC 4-6-1).
- 2. The personnel training records do not identify facility personnel whose responsibilities may include response to emergencies at the facility and the type of training they have received.

Please revise the personnel training documents and submit them to our office within thirty (30) days upon receipt of this letter.

Failure to respond adequately to this Letter of Inadequacy will result in a Notice of Violation being issued.

If you have any questions, please call Mr. Rod Steele of the Division of Land Pollution Control, Indiana State Board of Health, at AC 317/243-5050.

Very truly yours,

Thomas Russell, Chief Enforcement Section

Thomas Russell

Hazardous Waste Management Branch Division of Land Pollution Control

RJS/tr

cc: Marion County Health Department
Ms. Sally K. Swanson, U.S. EPA, Region /

Mr. Roy Wogelius, U.S. EPA, Region V

Mr. David Koepper

STATE BOARD OF HEALTH

AN EQUAL OPPORTUNITY EMPLOYER



INDIANAPOLIS

Address Reply to: Indiana State Board of Health 1330 West Michigan Street P. O. Box 1964 Indianapolis, IN 46206-1964

June 24, 1985

VIA CERTIFIED MAIL

Mr. William Lacque, Environmental Coordinator Rock Island Refining Corporation P.O. Box 68007 Indianapolis, IN 46268

Dear Mr. Lacque:

Re: Rock Island Refining Corporation U.S. EPA I.D. No. IND 006417430

Our records indicate that the facility indicated above is not in compliance with the Indiana RCRA financial assurance rules for the following reasons:

The proof of insurance submitted is not in compliance, and must be submitted in conformity with 320 IAC 4-7-35 or 320 IAC 4-7-36.

The letter of credit is improperly worded and must conform to 320 IAC 4-7-30. Also, the following Trust sections must be reworded to conform to 320 IAC 4-7-28: 1, 4, 6, 7, 12 and the improper IAC citation in the last paragraph. Enclosed is a copy of the Indiana RCRA financial assurance rules.

Failure to bring this facility into compliance with the Indiana RCRA financial assurance rules (320 IAC 4-7-1 through 320 IAC 4-7-36) by July 26, 1985, will result in the referral of this matter to the Enforcement Section. If you have any questions regarding this, please contact me at AC 317/243-5046.

Very truly yours,

Jeffrey W. Stevens

Environmental Hearing Officer Division of Land Pollution Control

JWS/sk Enclosure

cc: Ms. Sally Swanson, Region V, U.S. EPA

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STATE BOARD OF HEALTH
AN EQUAL OPPORTUNITY EMPLOYER



INDIANAPOLIS

Address Reply to: Indiana State Board of Health 1330 West Michigan Street P. O. Box 1964 Indianapolis, IN 46206-1964

June 21, 1985 W []

VIA CERTIFIED MAIL

Mr. William Laque, Environmental Coordinator Rock Island Refining Corporation 5000 West 86th Street Indianapolis, IN 46268-1601

Dear Mr. Laque:

JUN 26 1985

STALID WASTE BRANCH U.S. EPA, REDION V

Re: RCRA G/TSD Inspection
Rock Island Refining Corporation
IND 006417430
Letter of Warning (L-022)

The Environmental Management Board is cooperating with the U.S. Environmental Protection Agency, Region V, in carrying out the provisions of the Resource Conservation and Recovery Act, Public Law 94-580 (RCRA). In this effort, representatives of the Environmental Management Board are conducting inspections of facilities in Indiana that are engaged in the generation, transportation, treatment, storage, or disposal of hazardous waste. In addition to RCRA requirements, facilities are being inspected to determine compliance with Environmental Management Board 320 IAC 4, "Hazardous Waste Management Permit Program and Related Hazardous Waste Management Requirements."

This letter is to inform you that on January 29 and 30, 1985, an inspection of Rock Island Refining Corporation, located at 5000 West 86th Street, Indianapolis, Indiana, was conducted by Mr. David Koepper of the Division of Land Pollution Control, Indiana State Board of Health. You represented your firm at this inspection.

Please be advised that the Hazardous Waste Management Branch is aware of the May 16, 1985, Notice of Deficiency sent to Rock Island Refining Corporation from U.S. EPA, Region V, which voids your March 11, 1982, informal delisting granted by the Office of Solid Waste. The Hazardous Waste Management Branch will closely monitor the developments and any corrective action which may ensue from that recent decision.

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The following concerns pertaining to the operation of your facility were noted:

1. 40 CFR 265.13 and 320 IAC 4-6-1	Owner or operator does not have a detailed waste analysis plan on file at the facility. The inspector noted that earlier analyses performed on cracker waste showed cyanide presence ranging from 11-30 ug/gr.
2. 40 CFR 265.16 and 320 IAC 4-6-1	Personnel have not participated in an annual review of initial training. The inspector noted that the owner/operator could not provide documentation reflecting that facility personnel have participated in an annual review of personnel training.
3. 40 CFR 265.16 and 320 IAC 4-6-1	Personnel training records do not include job titles, job descriptions, and description of personnel training.
4. 40 CFR 262.42 and 320 IAC 4-4-1	Generator has not submitted exception reports as required. The inspector noted that Manifest No. 99 was not signed or dated by the designated facility.

As discussed with the inspector during the inspection, your Company should take the following actions to bring yourself into compliance:

- Include cyanide testing as part of your waste analysis plan and perform the test on all hazardous waste at your facility or provide rationale why cyanide analysis is not necessary.
- Personnel shall participate in an annual review of initial training. Please submit documentation reflecting that facility personnel have participated in the required training.
- 3. Revise personnel training records to include job titles, job descriptions, and a description of personnel training.
- 4. Submit an exception report to the U.S. EPA, Region V, and to the Environmental Management Board, as required in 40 CFR 262.42 and 320 IAC 4-4-1. The mailing address for the U.S. EPA is: Region V RCRA Activities, P.O. Box A3587, Chicago, Illinois 60690.

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Within thirty-five (35) days of receipt of this letter, submit to this office a letter stating the actions your Company has taken to achieve compliance.

Failure to respond adequately to this Letter of Warning will result in a Notice of Violation being issued.

Please direct your response to this letter and any questions to Mr. Rod Steele of the Division of Land Pollution Control, Indiana State Board of Health, at AC 317/243-5050.

Very truly yours,

Thomas Russell
Thomas Russell, Chief
Enforcement Section

Hazardous Waste Management Branch Division of Land Pollution Control

RJS/tr

cc: Marion County Health Department

Ms. Sally K. Swanson, U.S. EPA, Region V

Mr. Roy Wogelius, U.S. EPA, Region V

Mr. David Koepper

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TO TO THE PARTY OF

INDIANAPOLIS

Address Reply to:
Indiana State Board of Health
1330 West Michigan Street
P. O. Box 1964
Indianapolis, IN 46206-1964

June 11, 1985

STATE BOARD OF HEALTH

AN EQUAL OPPORTUNITY EMPLOYER

Mr. Joe Boyle
Chief of Illinois-Indiana Unit
RCRA Enforcement Section
U.S. Environmental Protection Agency
Region V
230 South Dearborn Street
Chicago, IL 60604

Dear Mr. Boyle:

Re: Telephone Conference of May 5, 1985

This will confirm our telephone conversation with you, Mr. Ken Burch, and Ms. Sally K. Swanson of U.S. EPA, Region V, concerning the Region's current Notice of Deficiency pending against Rock Island Refinery in Indianapolis, Indiana. The Hazardous Waste Management Branch of the Division of Land Pollution Control will not contemplate taking enforcement action against Rock Island Refinery in response to Region V's revocation of the March 11, 1982, informal delisting prior to the completion of their Part B permit review. The Hazardous Waste Management Branch will, however, maintain Rock Island Refinery on the Significant Violator's List until further notice.

Also, telephone conferences with Region V regarding Significant Violators will be held on the last Thursday of each month rather than by the 20th of the month as required by our current Grant Work Plan.

If you have any questions, please do not hesitate to contact myself or Mr. John Hayworth.

Very truly yours,
Thomas Russell

Thomas Russell, Chief Enforcement Section

Hazardous Waste Management Branch Division of Land Pollution Control

AC 317/243-5012

RJS/tr

cc: Mr. Guinn Doyle

Ms. Sally K. Swanson, U.S. EPA, Region V

RECEIVED

JUN 14 1985

U.S. EPA, REGION V
WASTE MANAGEMENT DIVISION
HAZARDOS WASTE ENFORCEMENT BRANCH

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STATE of INDIANA

STATE BOARD OF HEALTH AN EQUAL OPPORTUNITY EMPLOYER



INDIANAPOLIS

Address Reply to: Indiana State Board of Health 1330 West Michigan Street P. O. Box 1964 Indianapolis, IN 46206-1964

March 22, 1985

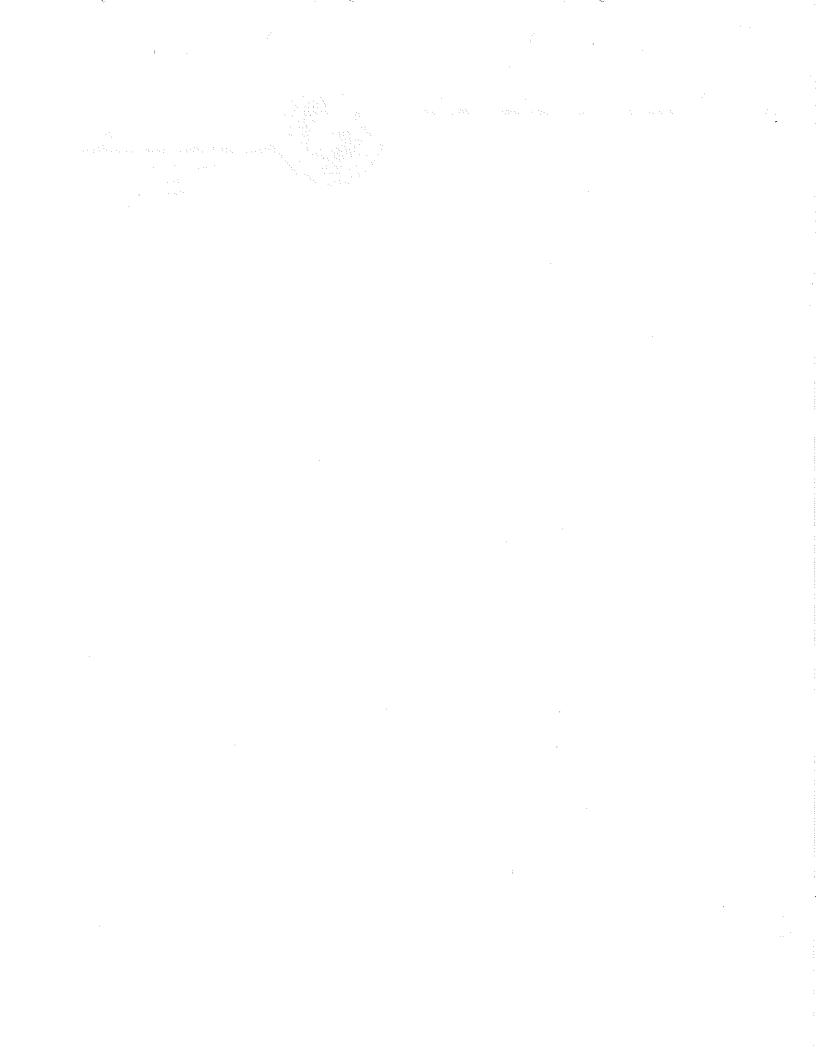
TO: Mr. William Lacque
Environmental Coordinator
Rock Island Refining Corporation
P.O. Box 68007
Indianapolis, IN 46268

Dear Sir or Madam:

Re: EPA ID# IND 006417430

Our records indicate that the facility indicated above is not in compliance with the Indiana RCRA financial assurance rules for the following reason(s):

L]	No information submitted on closure/post-closure cost estimate changes regarding: [] change in cost estimate [] annual inflation adjustment.	
[]	No current (198) update of your financial test filing. ²	
[]	No current (198) update of your corporate guarantee letter. 3	
[]	No special report from the independent certified public accountant.4	
]	No copy of the independent certified public accountant's report on the firm's financial statements for the prior fiscal year. 5	
]	No filing of proof of insurance for liability protection for: ⁶ [] sudden occurrences [] non-sudden occurrences	
[]	No proof of current annual installment to closure/post-closure trust fund.	
[]	Failure to file a standby trust agreement for closure/post-closure assurance along with your [] surety bond or [] irrevocable letter of credit.8	



- The proof of insurance submitted is not in compliance, and must be submitted on Indiana forms 320 IAC 4-7-35 or 320 IAC 4-7-36.
- Of Other: The letter of credit is improperly worded.

 and must conform to 320 IAC 4-7-30. Also, the following

 Trust sections must be reworded to conform to 320 IAC 4-7-28:

 1,4,6,7,12 and the improper IAC citation in the last paragraph.

 Enclosed is a copy of the Indiana RCRA financial

 assurance rules.

Failure to respond to this notice within thirty (30) days will result in initiation of an administrative enforcement action. If you have any questions regarding this, please contact me at 317/243-5046.

Very truly yours,

Jeffrey W. Stevens

Jeffrey V. Stevens
Division of Land Pollution Control

cc: Ms. Sally Swanson, Region V. U.S. EPA

ENVIRONMENTAL MANAGEMENT BOARD



INDIANAPOLIS 46206-1964

1330 West Michigan Street
P. O. Box 1964

Mr. Sydney Beckwith Adams Center Landfill

4636 Adams Center Road Fort Wayne, IN 46806 November 28, 1984

Dear Mr. Beckwith:

Re: Disposal of Filter Cake Waste from Rock Island Refining Corporation Indianapolis

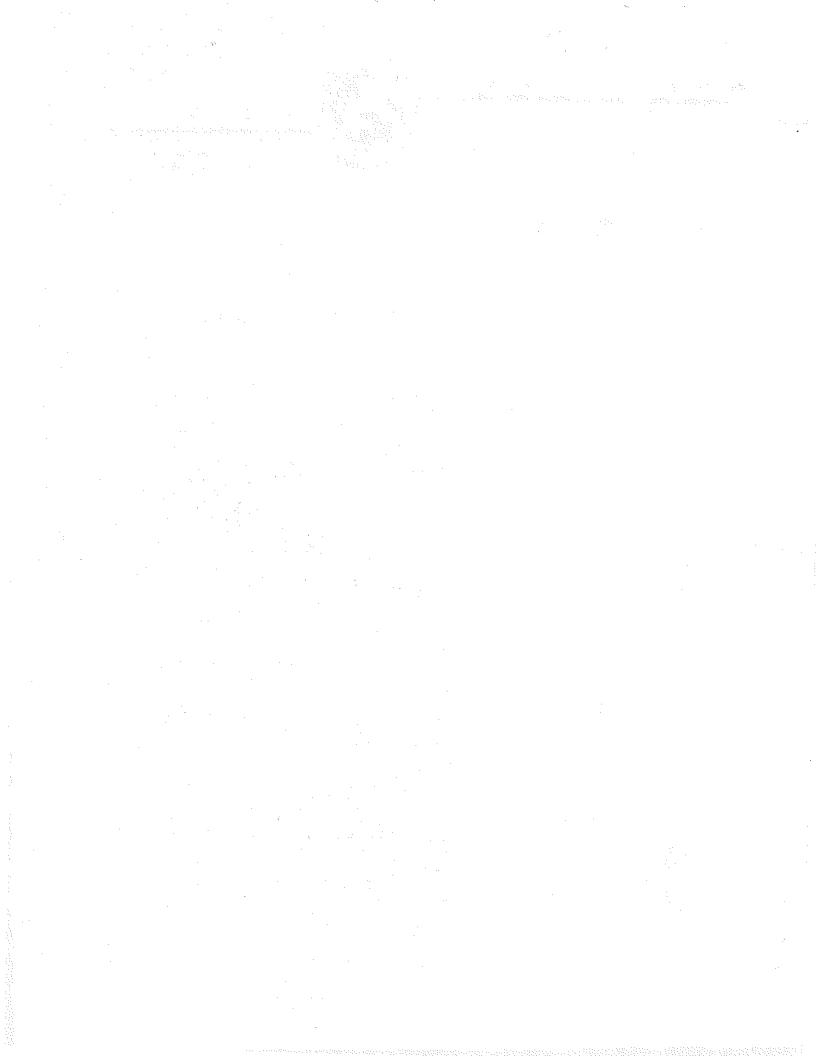
This letter acknowledges the request for disposal dated November 2, 1984, from Rock Island Refining Corporation.

Approval is hereby granted for disposal of 120 cubic yards per month of filter cake waste consisting of delisted K049-slop oil emulsion solids, K050-heat exchanger bundle cleaning sludges and K051-API separator sludge at the Adams Center Landfill, IND078911146, OPP. No. 2-1, Allen County. The waste is to be disposed of in the separate disposal area of the landfill and covered with a minimum of twelve (12) inches of cover soil by the end of the working day.

The approval is granted subject to the following conditions:

- 1. The generator and/or hauler must contact you to notify you of the time of disposal and conditions of shipment.
- 2. If nuisance or pollution conditions are created, immediate corrective action will be taken by the operator.
- Waste material accepted under this approval shall be included on the Special Waste Monthly Report to be submitted to this office monthly.
- 4. This waste can contain no free liquids.
- 5. This approval will expire December 31, 1985.

This approval will be revoked if the landfill fails to maintain compliance with 330 IAC 4-1, et seq. (Regulation SPC-18). Any necessary local approval must be obtained, but is not required for this approval to be valid.



FIELD NOTES ROCK ISLAND REFINING CORP. ROS-8307-004 IN-0122

I PECTED: 5/22/84

ERRIS FILE

INDIANA STATE BOARD OF HEALTH FILES
CONTACT: MIKE DOLTON

- (CONSTRUCTION PLAN PERMIT # SW 242 FOR LAND TREATMENT
- EFFECTIVE: FEB 7, 1979

 EXPIRES: FEB 7, 1984

 CURRENT STATUS: THE PERMIT AP

CURRENT STATUS: THE PERMIT APPLICATION CAME OFF
PUBLIC NOTICE MAY 19, 1984. AS IT STANDS THE
PERMIT WILL GET RENEWED. (PERSONEL COMMUNICATION
W/ JULIE WHITE, I.S. B. H., DIVISION OF WATER
POLLUTION CONTROL)

(3) LAND APPLICATION OF SLUDGES FROM SURFACE IMPOUNDMENTS

THE LAND APPLICATION OF THE SLUDGES WAS A

ONE TIME ONLY SHOT, CONSEQUENTLY NO FORMAL

PERMIT WAS FILLED OUT. THE LAND APPLICATION

AGREEMENT WAS AN INTER-AGENCY CONSENT.

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INE CTED: 5/22/84

ROCK ISLAND ROFINING CORP.

CONTACT: WILLIAM LAQUE

BASIC SEDIMENT & WATER PONDS FIELD INSPECTION

THE BASIC SEDIMENT & WATER POND (BS & W) LOCATED

ON THE EASTERN PORTION OF THE FACILITY WAS THE SURFACE

IMPOUNDMENT WHICH EXPERIENCED THE SPILL OF 1980. THIS

SPILL OCCURRED ON JULY 23, 1980.

THE SPILL WAS ABOUT 44,000 GALLONS OF WASTE OIL, OF WHICH 3C,000 GALLONS WAS RECOVERED. BOOMS AND SORBENTS WERE USED TO CLEAN UP THE SPILLED OIL. DUE TO HEAVY RAINS THE GASTERN BS &W POND BROKE, THE OIL LAIDEN SURFACE RUN-OFF WAS NOT ALLOWED TO GO THRU THE NORMAL CHANNEL OF WATER TREATMENT, CONSCRIENTLY THE RUN-OFF WAS LET THRU OUTFALL 003 WITHOUT ANY TYPE OF PRE-TREATMENT. NORMALLY SURFACE RUN-OFF IS PUMPED BACK TO THE REFINERY WHERE IT IS STORED IN A RETENTION POND, WATER IN THE RETENTION POND, WATER IN THE

BECAUSE THE RUN-OFF WAS ALLOWED TO PASS THRU

DUTFALL 003 UNTREATED, A STREAM, WHICH IS A

COMPILATION OF DUTFALLS 001, 002, \$ 003, WAS CONTAMINATE

WITH DIL. THIS COMPILATION OF OUTFALLS RUNS INTO

PAYNE CREEK, WHICH IS A TRIBUTARY TO CRECKED CREEK

WHICH FEEDS INTO THE WHITE RIVER.



THE EASTERN B5 & W POND WAS CLOSED IN THE FOLLOWING MANNER: SLUDGED WAS SCOOPED OUT OF THE POND, IN ITS PLACE A CLEAN DIRT FILL WAS ADDED, THE DIRED WALLS WERE PUSHED IN AND EVENTUALLY TANKS WERE PUT ON SITE.

THE WESTERN BS& W POND WAS CLOSED IN A SIMILIAR MANNER EXCEPT THAT THE TANK BOTTOM WAS ENLARGED AND LEVELED. BERMS WERE BUILT AROUND THE ENLARGED PORTION OF THE BOTTOM. IT IS WITHIN THIS ENCLOSED BERMED AREA THAT THE ONE TIME APPLICATION OF ONCE-REMOVED SLUDGE TOOK PLACE, TANKS NOW EXIST WHERE THE LANDFARM IS LOCATED.

LEADED TANK BOTTOMS

AS THE NAME IMPLIES, LEADED TANK BOTTOMS ACCUMULATE IN THE BOTTOM OF STORAGE TANKS, WASTE OF THIS TYPE IS DNLY ENCOUNTERED WHEN THE GAINT TANKS ARE CLEANED. ACCORDING TO MR LAQUE, CLEANING IS INFREQUENT AND THEREFORE NOT MUCH OF THIS THASTE TYPE ACCUMULATES.

CURRENT POLICY DICTATES THAT THESE ACCUMULATES, LEADED TANK BOTTOMS MUST BE DISPOSED OF IN A PERMITTED FACILITY, SO THE RUCK ISLAND REFINING CORP, HAS CONTRACTED WITH ANOTHER COMPANY TO HANDLE THE WASTE OFF. SITE.

SLUDGE SAMPLES

MR. LAQUE COLLECTED A COMPOSITE SAMPLE OF THE SLUDGE
THAT WAS LANDFARMED. HES SAMPLING POINTS WHERE SPACED

MADE A COMPOSITE SAMPLE, IT WAS THIS COMPOSITE SAMPLES HE WHICH WAS ANALYZED. (SEE ATTACHED SHEETS)

SURFACE IMPOUND MENTS

MISC. INFORMATION !

- 1 DEPTH 8FT FROM GROUND LEVEL
- 2 ALL MATERIAL WAS REMOVED FROM THE SI'S
- 3 SAMPLING WAS PERPORMED ON THE SLUDGES
- 9 20% OF LIQUID WITHIN THE SI'S WERE OIL.

WATER SYSTEMS

3 WATER SYSTEMS

O RAW WATER - FOR drinking & boilers
STEPS/-3
O PROCESS WATER - DILY WATER, API SEPARATORS,
AERATION LAGOONS - POTW

3 STORM WATER RUN-OFF - NPDES
Direct discharge to NPDES outfalls unless oilispresent
oily runoff is sent to RPI separators

SUBCONTRACTS INJULLED IN SPILL

SPILL RECOVERY OF INDIANA - MAIN CONTRACTOR

FERGUSON-HARBOR SERVICE

P.O. BOX 8153

NASHVILLE, TN 37207

SUB CONTRACTOR

ACE OIL SERVICE 876 OTTER CREEK Rd. OREGON, OH 43616

SUBCONTRACTOR

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Figure 3-1 (See Attachment C)

Scale 1:6000

Past Landfill

(Concrete Debris Only)

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